

WELLCHI NETWORK

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POLICIES AND POLITICAL REFORMS

UNITED KINGDOM

a) The Civil Partnership Act 2004 was passed by the Parliament of the United Kingdom in 2004. This Act deals with same-sex couples, extending them marriage-like rights and obligations. The aim of the legislation is to remove discrimination against couples on the grounds of their [sexual](#) orientation by granting legal status to gay and lesbian couples. The regulation is not addressed to heterosexual cohabitation, as the concept of civil partnership will only be available for same-sex couples but not for couples of opposite sexes. As a Bill it met with broad support from all of the UK's major political parties. However, it also faced criticism on several fronts: from people worried that marriage would be diluted by extending the rights that go with it to others, from people who feel the government should simply extend marriage itself, and from different-sex couples who would also like the right to enter into a non-marriage civil partnership .

Link with the new: http://en.wikipedia.org/wiki/Civil_Partnership_Act_2004

direct link with the official text of the Civil Partnership Act published 25 November 2004:

<http://www.opsi.gov.uk/acts/acts2004/20040033.htm>

b) On 18 January 2005, the Government published 'Parental Separation: Children's Needs and Parents' Responsibilities, Next Steps'. The document responds to the consultation on the Green Paper, or government discussion document, on the same topic which was launched on 21 July 2004. While keeping the focus on the best interests of the children involved in contact disputes, the paper seeks ways of managing this conflict and promoting a continuing relationship for the child with both parents where it is safe and in the interests of the child to do so.

Link to downloading both documents :<http://www.dfes.gov.uk/childrensneeds/>

c) Draft Children (Contact) and Adoption Bill

The draft Children (Contact) and Adoption Bill completed pre-legislative scrutiny on 12 April 2005 with the publication of the report of the joint committee on the Bill. The Government published its response to this report on 8 June 2005. The Children and Adoption Bill was introduced to Parliament on 13 June 2005. This Bill makes provision to improve arrangements to facilitate contact and enforce contact orders for those undergoing parental separation. This is part of a package of measures originally proposed in the Green Paper *Parental Separation: Children's Needs and Parents' Responsibilities*, and needs to be seen within that context.

<http://www.dfes.gov.uk/childrensneeds/>

http://www.parliament.uk/parliamentary_committees/jcdccab.cfm

direct link to the document: <http://www.parliament.uk/documents/upload/CCABill.pdf>

FRANCE

d) Divorce Reform:

The French Parliament passed a new law in 2004 to simplify the divorce procedure. It will come into force on 1 January 2005.

The law aims to pacify the procedures, instead of focusing on faults and causes of separation, in order to help people tackle the future in a dispassionate way, in particular the future of their children. The main measures of the law simplify "divorce by consent" (*divorce par consentement mutuel*) and substitute the other cases of divorce (*pour faute, à la demande acceptée et à la rupture de vie commune*) with a single divorce procedure for "irremediable breaching of conjugal bonds" (*divorce pour rupture irrémédiable du lien conjugal*). The law insists on emergency measures to protect the family in the case of violent husbands, for example by taking him away from the home .

Links of interest of the French Parliament: www.assemblee-nationale.fr/12/dossiers/divorce.asp

- Report by the French *Sénat* (www.senat.fr/rap/r01-183/r01-183.html) rapport 183 du Sénat, par Serge Lagache, 2001-2002)

Text of the law (www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=JUSX0300062L) (loi n° 2004-439 du 26 mai 2004 relative au divorce).

e) Family Name Reform :

In France, the rules of transmission of the patronymic used to be based on the principle of legitimate filiation and the pre-eminence of the father. Since 2002, the French Parliament has adopted a new law regarding the family name, which gives the mother the right to give her name to her child. Therefore, children can have their mother's or their father's name. They can also have a double name, and the parents can choose the order of the names. The same name must be adopted for the children belonging to the same parents. This law respects the principles of gender equality, freedom of choice for the parents and non-discrimination whatever the child's filiation (legitimate, natural, adoption)

Links of interest of the French Parliament: www.assemblee-nationale.fr/dossiers/nom_patronymique.asp

Informe de l'*Assemblée Nationale* (www.assemblee-nationale.fr/rapports/r2911.asp) rapport 2911 du 6 février 2001, par Gérard Gouzes, Assemblée Nationale)

Text of the law (www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=JUSX0104677L) loi 2002-304 du 4 mars 2002, relative au nom de famille)

[Policies and Political Reforms](#)[Overview about the project's activities](#)[Reviews](#)[International and national events](#)[Interesting links](#)**MEETINGS OF LOCAL AGENTS**

One of the goals of the Wellchi Network is to encourage the formation of Commissions of Local Agents in participant countries with the aim of bringing together policy-makers, NGO officers, local administrators, divorce lawyers, social workers and other professionals working in the field in order to debate issues regarding the well-being of children. These commissions aim to ensure that academics and policy-makers can exchange views; that members of the network can get feedback from local agents concerning recommendations and proposals for reform emanating from workshops and conferences; and that input for the political agendas of governments can be generated. Commissions of Local Agents may also provide ideas about recommendable good practices and assess the contributions from workshops and conferences. Finally, it is hoped that new concepts and approaches coming from the network's activities will percolate down to wider audiences of civil society through these commissions.

A Local Agents meeting was held in Barcelona on 19 and 20 May. In addition, the Edinburgh team is preparing a forthcoming meeting under the auspices of the National Family and Parenting Institute. The Barcelona meeting was focused on the outcomes of family breakdown for children and most of the discussions hinged on the ongoing reform of the Spanish Divorce Act, finally passed on 8 July 2005. Participants were mainly social administrators, social workers and other practitioners from public organizations dealing with minors in risk situations, as well as judges, public prosecutors and barristers involved in separation and divorce and members of NGOs and associations working in the field. The workshop consisted of a plenary session, six working group parallel sessions, a panel session and a final joint discussion. Some of the themes developed in different sessions were the following: the reform of the divorce law and its potential effects, how to deal with unpaid child maintenance, regulating separation in cohabiting couples with children, work and childcare in lone parent families, family break-up in ethnic minorities, social representations of family breakdown and good practices that improve children's well-being in the case of separation and divorce.

The new act allows a no-fault divorce with a very short waiting period (three months after marriage), regulates consultation with teenage minors in divorce proceedings in order to ascertain their wishes and feelings as to future arrangements and establishes mediation as an alternative form of conflict resolution. The reform involves abolishing specific grounds for divorce with the exception of physical, psychological or sexual violence (in which case the waiting period is not applicable) as well as eliminating previous legal separation as a pre-requisite for divorce, although it is possible for ex-spouses to remain separated without being divorced.

The most debated aspects of the divorce reform in the workshop were the regulation of joint custody and the announcement that a financial fund would be set up to provide for unpaid child maintenance. According to the new act, joint custody is to be granted by a court if both parents agree, but even in the case of disagreement it can also be granted in the best interests of the children. As the law does not comment on the financial consequences of joint custody, some experts fear that non-resident fathers will use it to claim allocation of the commonly owned flat or a reduction in the level of maintenance payments. Most participants agreed that it is convenient and important to set up a fund to make sure that child support is guaranteed. However, the Divorce Act only mentions this plan but does not define the goals or the specific characteristics of the fund. Discussions were very lively on how the fund should be financed, what levels of due amounts or arrears it should cover and in which circumstances of a parent's failure to provide for his/her children should it be applied.

Another line of discussion was centred on the family break-up that often inheres in the migration process. The discussion specifically dealt with 'family regrouping' policies implemented by the Spanish government. It was reported that the policy logic underlying these measures is very restrictive as it does not take into account the large diversity, heterogeneity and complexity of family forms among migrants of different socio-cultural levels. This approach can result in the fragmentation of migrant families, and children are the most affected. It is essential to understand the social environment in which migrant families are embedded and to seek a permanent dialogue between policy makers, on the one hand, and groups and agents directly involved in this issue, on the other. One of the conclusions that came out of the discussion was the need to break away from the idea of the existence of an ideal family model (i.e. the nuclear family), which no longer corresponds with reality. It was suggested that contributing to the social acknowledgment of diverse family forms may lead to reducing children's distress caused by them becoming aware that real families do not fit this ideal model.

Finally, the panel session brought together several Catalan social administrators responsible for specific institutional schemes that are presently under way, with a special focus on using mediation in different fields (school, family and courts). The aim was to debate different strategies being developed, to assess their results and to put forward good practices for improving children's well-being.

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Enfants, adultes. Vers une égalité de statut ?

[Children, adults. Towards an equality of status?]

François de Singly (ed)

édition Universalis, Paris 2004

After the autonomy and independence claimed by women during the sixties, the process of individualization, which characterizes the second modernity, applies to children. Child is nowadays recognized as an individual, as stated by the 1989 Child's Convention. As a fully recognized individual, child has almost the same rights as adults, but, as a personality in the making, he/she needs also specific rights, such as the right to be protected. In fact, there is an equal status as well as some differentiation between children and adults. These changes have an important impact on the role of the family, but also on authority and education.

This collective book underlines the positive consequences of this individualization of the child. It explains to what extent the positions of adults and children have to be distinguished, but also in what sense the child has not to be considered as the chief of the family or the king of his/her universe.

Twelve authors (F. Dekeuwer-Desfossez, B. Heilbrunn, A. Renaut, G. Delaisi de Parseval, D. Rapoport, S. Mesure, J-M. De Queiroz, M-F. Morel, C. Misrahi, A. Léon and C. Martin) from different disciplines (law, philosophy, psychology, psychoanalysis, sociology and political science) explore this transformation of the position and status of the child compared to the adult, with its consequences on the role of parents, school, teachers, legislation and public policy. This book is a quite pedagogic and synthetic approach of these challenges that many occidental countries are facing at themoment

Individualism and families: Equality, autonomy and togetherness

Ulla Björnberg and Anna-Karin Kollind

London and New York: Routledge, 2005

The book describes how women and men manage issues of togetherness and independence in their family relations and how they relate to gender equality as an ideal and as a practice. The book uses materials based on in-depth interviews with couples with children carried out in Sweden during the 1990s. The main themes covered are different strategies for combining work and childcare, various ways of allocating money and property including saving and consumption patterns, and styles of conflict management placing special importance on the tensions between independence and togetherness. The results of interviews provide us with a complex picture of equality, both an ideal and in practice. Gender equality has been understood largely in terms of sameness and proportionality. However, autonomy and independence represent one side of equality, while togetherness and mutuality represent another side. One purpose of this study is to relate men's and women's understanding of gender equality to the understanding of equality that is discussed on a political level. The results of the study show that there are wide discrepancies between marriage partners in how they understand equality and that these variations are associated with how they manage the relationship between autonomy and togetherness .

"Marriage and Child Wellbeing"

The future of Children, Vol. 15, No.2

This issue features eight articles on marriage and its effects on children, presenting evidence that stable marriages can improve children's emotional, intellectual and economic well-being, and that some well-designed marriage-promotion initiatives may benefit children and families.

Download full text: http://www.futureofchildren.org/usr_doc/Marriage_vol15_no2_fall05.pdf

http://www.futureofchildren.org/pubs-info3775/pubs-info.htm?doc_id=289923

http://www.futureofchildren.org/pubs-info3133/pubs-info.htm?doc_id=290314

The Asylum-seeking Child in Europe

Björnberg, U.; Anderson, H.; Ascher, H.; Eastmond, M.; Mellander, L. Göteborg

CERGU, 2005

How visible in their own right are asylum-seeking children? About 40-50 per cent of the 20 million refugees in the world are children. Despite this fact the voices of children asylum seekers are silent in many countries. This was the recurrent message in an international and multidisciplinary research conference organised in Gothenburg, Sweden in September last year. The papers presented at the conference are now available in a report: *The Asylum-seeking Child in Europe*. The report highlights several problems as well as possibilities to develop a more conscious policy on the rights of children, as stipulated by the Convention of the Rights of the Child.

This report can be ordered at CERGU (Centre for European Research at Gothenburg University <http://www.cerqu.gu.se/>).

Summary : [Towards a child oriented refugee policy in Europe](#)

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WELLCHI NETWORK

FORTHCOMING EVENTS

4th Workshop:

'CHILDREN IN MULTICULTURAL SOCIETIES'
2-3 December 2005. Athens (Greece).

Organized by: National Centre for Social Research (EKKE).

See:

<http://www.ciimu.org/wellchi/agenda/indexagenda.htm>

2nd Conference:

'DIFFERENT KINDS OF RISKS RESULTING FROM VARIOUS STRUCTURES AND CHANGES IN THE LABOUR MARKETS'

31 March 1 April 2006. Hamburg (Germany).

Organized by: University of Hamburg.

PAST EVENTS

2st Workshop:

'WHICH ARE THE PROVISIONS IN FAMILY LAW THAT FOSTER CHILDREN'S WELL-BEING AND WHICH REFORMS SHOULD BE ENVISAGED IN THIS RESPECT?'

15-16 April 2005. Sofia (Bulgaria)

Organized by: Bulgarian Academy of Sciences.

See:

<http://www.ciimu.org/wellchi/reports/indexreports.htm>

3st Workshop:

'WORKING FLEXIBILITY AND CARING ARRANGEMENTS'

1-3 September 2005, Rennes (France)

Organized by: École Nationale de la Santé Publique

See:

<http://www.ciimu.org/wellchi/reports/indexreports.htm>

OTHER FORTHCOMING EVENTS

EUROPEAN CONFERENCE ON "RAISING CHILDREN WITHOUT VIOLENCE" October 20th-21st 2005, Berlin Brandenburgische Akademie der Wissenschaften, Conference Centre. Bundesministerium für Familie, Senioren, Frauen und Jugend. www.bmfsfj.de

CONFERENCE: "100 YEARS OF CHILD PROTECTION, A NATIONAL AND INTERNATIONAL PERSPECTIVE", 28-30 November 2005, Amsterdam. www.childprotection2005.nl

14th INTERNATIONAL EMPLOYMENT RELATIONS ASSOCIATION CONFERENCE – Family friendly Employment Policies and Practices : an East-West Perspective on Work-life Balance, 19-23 June 2006, Hong-Kong. www.hkbu.edu.hk/~iera2006/

XVI WORLD CONGRESS OF SOCIOLOGY (ISA) Durban (South Africa) 23-29 July 2006- 'The quality of social existence in a globalising world' (Research Committee on sociology of childhood RC53) <http://www.ucm.es/info/isa/congress2006/>

ESPANET CONFERENCE 2005, September 22-24, 2005, University of Fribourg, Switzerland. Two streams of interest: Work-life balance and gender inequality, Convenor: Heike Trappe; Women's employment and social care, Convenors: Jane Lewis and Claude Martin. <http://www.unifr.ch/travsoc/espanet05/>

2006 & 2007 SPA ANNUAL CONFERENCES, Birmingham University: 18th-20th July 2006 and 17th-19th July 2007. <http://www.york.ac.uk/depts/spsw/spa/conf.htm>

IV CONFERENCE OF THE EUROPEAN NETWORK FOR THE SOCIOLOGICAL AND DEMOGRAPHIC STUDY OF DIVORCE- 23-25 June 2006, Florence. <http://www.iue.it/Personal/Dronkers>

19th BIENNIAL MEETING OF THE INTERNATIONAL SOCIETY FOR THE STUDY OF BEHAVIOURAL DEVELOPMENT (ISSBD) meeting in Melbourne, Australia on July 2 - 6, 2006. <http://www.issbd2006.com.au>

14th International Employment Relations Association Conference - Family-friendly Employment Policies and Practices: An East-West Perspective on Work-life Balance
Hong Kong, 19-23 June 2006
Tel: (852) 3411-5365. Email: Conference Secretary iera2006@hkbu.edu.hk. Web: www.hkbu.edu.hk/~iera2006/

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Interesting links

1. **Four nations policy network** <http://www.childpolicy.org.uk>

2. **Child poverty action group** <http://www.cpaq.org.uk/>

3. **National Family and Parenting Institute** <http://www.nfpi.org>

4. **National family and parenting institute** <http://www.nfpi.org/data/research/research.htm>

5. **Conference of the family 2005** : Report by l'UNAF (Union Nationale des Associations Familiales) : Enjeux démographiques et accompagnement du désir d'enfants des familles. <http://www.ladocumentationfrancaise.fr/rapports-publics/054000311/index.shtml>

6. **Children, Youth and Environments** is preparing a special issue on **Children and Youth Participation**. This issue, involves seven different regional issues from different parts of the world, and seeks to include papers which make a contribution to thinking and practice of Children and Youth Participation. There is a specific call for submissions from Scandinavia, Germany, Eastern Europe, Spain, Italy and France.

Contact: barry.percy-smith@uwe.ac.uk ; a.clark@ioe.ac.uk tel+44 1604 246926

7. **Comparative Social Research** is preparing a 2007 issue on **Comparative Studies on Changing Childhoods**. Scholars are invited to submit summaries before 1 December 2005, and manuscripts before 1 June 2006.

The latter half of the twentieth century witnessed a rapidly developing research interest in childhood change across the social sciences, law and historical disciplines. Internationally, the rights of the child have gained more attention; childhood is both individualised and institutionalised. Childhood has become increasingly a public issue and the object of public intervention and investment.

In western welfare states, fertility decline, marital instability and the restructuring of work/family arrangements have spurred attention for the welfare of children. In several regions, a redrawing of the division of responsibility for the childhood years between the state and the family has occurred. At the same time, there is a rising concern with the situation of children worldwide, due to i.a., war, poverty, migration, sickness, violence and abuse. These and related questions have been addressed in research from several countries, often on a national or local scale. However, comparative studies are needed to deepen the understanding of the complexities of childhood change.

For the volume to appear in 2007, Comparative Social Research invites empirical articles on childhood change, and focusing especially on the ongoing politicising of childhood. 'Politicising of childhood' is defined in a broad sense, and refers to the translation of childhood from being understood as primarily a family or parental responsibility to becoming, in addition, a matter of public importance and concern, and a matter for (welfare) state intervention. Articles are invited on themes such as the political history of children's rights, transforming policies for early childhood education and care, shifts in childhood thinking and ideologies of childhood, childhood in media and the market, the commercialisation of childhood, childhood consumerism, childhood pornography, prostitution, trafficking, migrant childhoods, etc.

For further information, contact

Fredrik Engelstad, series editor, e-mail, fredrik.engelstad@socialresearch.no

Arnlaug Leira volume editor, e-mail, arnlaug.leira@socialresearch.no

Chiara Saraceno volume editor, e-mail, chiara.saraceno@unito.it

Ragnhild Steen Jensen, assistant editor, e-mail: raqnhild.s.jensen@socialresearch.no

