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I'm not saying it was easy . . .

Contact problems in separated families

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I'm not saying it was easy: Contact problems in separated families
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Chapter 1: Introduction

The study

This report sets out the findings of a study exploring the extent and nature of contact problems in the general population of separated families in the U.K. Previous research has shown that families who use the family courts to sort out post-separation parenting arrangements tend to have multiple problems and high levels of conflict (Trinder *et al* 2005). These families have attracted a great deal of media, public policy and research attention. The vast majority of separating families, however, do not use the courts (Blackwell and Dawe, 2003). How do they make their contact arrangements and are they satisfied with them? Is their contact generally problem-free? If not, what problems have they experienced and how are they managed? Does public policy need to take greater account of these families' needs? These are the broad issues this research set out to address.

There were three elements in the project: a quantitative, nationwide, face-to-face survey of 559 separated parents, followed by in-depth, qualitative interviews with a sub-sample of parents and children. Throughout the report we use the term 'national survey' to refer to the quantitative part of the research and 'in-depth study' when we are talking about the qualitative interviews.

The full report on the national survey has been published separately, as *Problematic Contact After Separation and Divorce?* (Peacey and Hunt 2008, available at www.gingerbread.org.uk). This report presents the key findings from that survey but focuses primarily on the in-depth interview material. The results of the national survey give an overview of contact arrangements for families in Great Britain, and the insights from in-depth interviews with families provide more detail and sometimes explore areas that were not covered in the national survey.

The national survey addressed the following questions:

- What proportion of the separated population has experienced and is currently experiencing problems with contact?
- What is the nature of these problems and their reported incidence?
- Are there any broad differences between parents reporting and not reporting problems and the nature of the problems reported (e.g. gender, previous relationship status, years since separation, age of child)?
- Is there a relationship between the problems reported, or their absence, and whether contact is continuing, its type and frequency?
- What is the balance between problems being resolved and contact taking place: contact continuing but problems persisting and problems only ceasing because contact has ceased?
- What proportion of non-resident parents alleges contact denial or obstruction?
- What proportion of resident parents says they have stopped contact?
- What proportion of resident parents perceives lack of commitment to contact on the part of the non-resident parent to be a significant problem?
- What proportion of parents reporting contact problems have been involved in court proceedings/used professional advice?

The in-depth follow-up work involved a total of 41 families. In all but one case we interviewed only one parent. We interviewed 27 resident and 14 non-resident parents who had not used the family courts to arrange contact for their children. In a few cases a parent was a resident parent to one child but a non-resident parent to another or their status had changed over the years. Interviews were conducted with 20 children, from 15 families, where we also interviewed the resident parent.[1] Overall, the in-depth work was intended

1 Some of the families where we interviewed children had used the courts. In these cases, the parents' interviews are not included in analysis, except for where we compare children and parents from the same family.

to look, in a way that large-scale surveys cannot do, at the complexities of maintaining children's relationships with both parents after separation. We were interested in the detail of the problems families encountered, how they dealt with them, how the problems had changed over time, and whether and how the problems had affected children.

The specific aims of the in-depth study were to:

- Explore parents' and children's experiences of different types of contact problems, the impact on contact patterns, and the impact on children's lives and relationships.
- Compare the experiences and perspectives of children who are involved in difficult contact with those of their resident parent and, where possible, a sibling.
- Identify when problems emerged and how, if at all, they were resolved.
- Understand children's involvement in managing problematic contact and the extent to which they feel their views are sought and taken into account by their parents when contact arrangements are being made.
- Identify the needs of children to maintain contact with their non-resident parent, and the factors that children think are associated with difficult contact arrangements.
- Identify services that parents and children had used, their satisfaction with these, and other services they might have found helpful.
- Explore parents' and children's practical ideas about how contact problems might be improved and their advice for other children and parents who may face these problems in the future.

Background

Parental separation affects around three million of the twelve million children in the UK (DCA, DfES, DTI, 2004). Research indicates that while many children will experience short-term distress around the time of the break-up (Richards and Dyson, 1982) most are resilient (Kelly, 2000). Some, however, have long-term problems of adjustment (Amato and Keith, 1991; Buchanan and Ten Brinke, 1997). Children's adjustment after parental separation is affected by a complex interplay of diverse factors (Kelly, 2000). One of the protective factors is a positive ongoing relationship with the non-resident parent (Pryor and Rodgers, 2001). This can be misinterpreted as meaning that contact, *per se*, is a good thing, whereas the weight of research tends to show that it is the nature and quality of parenting by the non-resident parent that is crucial (Gilmore, 2006; Hunt and Roberts, 2004).

Moreover some contact can be very damaging. In addition to the obvious risks from an abusive or neglectful non-resident parent, or being affected, directly or indirectly by domestic violence, research particularly highlights the more subtle dangers to children of being caught up in parental conflict (Harold and Murch, 2005).

Since it is impossible to maintain any relationship unless parent and child are in touch with each other, public policy has increasingly sought to promote contact. The Green Paper *Parental Separation: Children's Needs and Parents' Responsibilities*, for instance, stated that the government 'firmly believes that both parents should continue to have a meaningful relationship with their child after separation, as long as it is safe' (DCA/DfES/DTI, 2004). The UN Convention on the Rights of the Child and the European Convention on Human Rights both support the rights of the child – and in the case of the latter, the rights of the parent – to have contact.

Unlike some other jurisdictions, there is no statutory presumption of contact in the Children Act, 1989, the key piece of legislation in England and Wales, which is based solely on the welfare principle, i.e. the paramountcy of the best interests of the child. However, where parents who cannot agree about contact take their disputes to court they are likely to encounter a strong pro-contact stance (Bailey-Harris *et al*, 1999; Hunt and Macleod, 2008). Indeed in their desire to secure contact for children, it is acknowledged that the courts have sometimes taken insufficient account of risks to children and parents (Advisory Board on Family Law, 1999). Despite this strong emphasis on the potential value of

contact there are many children who lose touch with their non-resident parent. Estimates, however, vary widely across the various studies (Hunt and Roberts, 2004) from less than 10 per cent (Attwood, *et al*, 2003) to 40 per cent (Bradshaw and Millar, 1991). This higher figure, however, is somewhat outdated, was based on a low response rate, and has not been supported by more recent research. Most estimates of the proportion of children who lose contact altogether conclude that the figure is around 30 per cent.

In the past, the primary explanation for lack of contact tended to be framed in terms of non-resident parents failing to keep in touch – the 'deadbeat dad' stereotype. Recent research indicates that this is still perceived to be a factor behind some cases where there is no contact (Blackwell and Dawe, 2003; Bradshaw *et al*, 1999; Eekelaar *et al*, 2000; Smart *et al*, 2005; Stark *et al*, 2001; Trinder *et al*, 2002; Wikeley, 2001). A nationally representative study by the Office for National Statistics, for instance, notes that among the minority of resident parents who were dissatisfied with contact, 31per cent wanted more contact to be taking place (Blackwell and Dawe, 2003). Similarly, a court-based study of contact disputes reports more resident mothers complaining that fathers failed to exercise the contact they had been awarded, than non-resident fathers who complained about contact being thwarted (Smart *et al*, 2005). Non-resident parents' failure to exercise contact has never been addressed in public policy and has been described as a 'invisible' problem (Smart *et al*, 2005).

In contrast, a competing explanation for lack of contact, obstruction by a hostile resident parent, is currently attracting considerable public and policy attention. The Children and Adoption Act 2006, for example, gives courts wider powers to prevent and deal with non-compliance with court orders. Opposition parties have sought more fundamental reform of the law, a presumption of 'reasonable contact', with the aim of preventing contact denial by strengthening community expectations of substantial involvement by both parents in post-separation parenting.

Research with non-resident fathers in the UK reports that they perceive contact obstruction to be a common experience and a major reason for contact breakdown (Bradshaw *et al*, 1999; Mitchell, 1985; Lund, 1987; Kruk, 1993; Simpson *et al*; 1995; Wikely, 2001). Almost half the non-resident fathers with no contact in one study (Bradshaw *et al*, 1999) attributed this to the mother's unreasonable obstruction. While resident parents are less likely to acknowledge such behaviour, there is some evidence that the complaints made by non-resident parents are not illusory. 'Instances' are reported in several UK studies (Pearce *et al*, 1999; Smart *et al*, 1997; Smart *et al*, 2005). A quarter of resident parents in a US study (Braver *et al*, 1991) admitted undermining or denying contact at some point, although it is not clear whether these figures refer to occasional or short-term denial or to entrenched resistance.

Little is known about the circumstances that give rise to contact resistance and the extent to which it might be deemed warranted. It has been variously attributed to genuinely held concerns about the behaviour of the non-resident parent; denial of the value of fathers to children; a means of retaliation; a form of mental disturbance; a response to chronic conflict, or a history of unreliable or unsatisfactory contact (Day Sclater and Kaganas, 2003; Kressel 1985; Mitchell, 1985; Pearson and Thoennes, 1998; Perry *et al*, 1992; Rhoades, 2002; Strategic Partners, 1998; Trinder *et al*, 2002; Turkat, 1997; Wallerstein and Kelly, 1980). While both the 'deadbeat dad' and the 'obstructive mother' paradigms probably contain an element of truth, in most instances the reality is likely to be far more complex. What is very clear from research is that establishing and maintaining satisfactory contact arrangements can present major challenges to both resident and non-resident parents and to their children (Bainham *et al*, 2003; Bradshaw *et al*, 1999; Smart *et al*, 2001; Trinder *et al*, 2002).

Quantitative research shows that some factors are consistently associated with ongoing contact: the parents having previously been married rather than cohabiting or never having lived together; a cooperative post-separation relationship between the parents; the child wanting contact; the non-resident parent living within a reasonable travelling distance of the child; the non-resident parent being in employment, having a higher income and education, paying child support and not having further children (Pryor and Rodgers, 2001).

As Trinder and colleagues have shown, however, (Trinder *et al*, 2002) the fact that

contact is happening does not necessarily mean that it is working. They define 'working' contact as arrangements where: contact occurs without risk of physical or psychological harm to any party; parents and children are committed to contact and broadly satisfied with the current arrangements; and, on the whole, contact is a positive experience for all concerned. A wide range of factors were considered to influence the extent to which contact 'worked'. There were direct determinants (commitment to contact, role clarity, relationship quality); challenges (the nature of the separation, new adult partners, money, logistics, parenting style and quality, safety issues) mediating factors which influenced how challenges were handled (beliefs about contact, relationship skills, the involvement of family, friends and external agencies). All these interacted over time. It was concluded that no single ingredient was responsible for making contact work or not work. It was the attitudes, actions and interactions of all family members that were determinative. Making contact work required the commitment of both adults and children. An important feature of successful arrangements was a parental 'bargain' whereby resident parents positively facilitated, rather than simply allowed, contact while, for their part, non-resident parents accepted their contact status.

Only ten per cent of parents living apart in the UK have been to court to resolve disputes over contact (Blackwell and Dawe, 2003). Those who do are likely to have experienced multiple problems. Trinder's study of litigating parents (Trinder *et al*, 2005) reports that, when they were asked to identify which out of 14 potential problems they had experienced, very few parents selected only one or two; the average was seven, with little difference between mothers and fathers.

The vast majority of separated parents, however, do not go to court over contact. Where contact is not taking place it seems likely that at least some problems have been experienced. But what about the others? Even 'working contact' is not necessarily problem-free but can involve significant tension between the adults and 'non-working contact' does not necessarily come to court (Trinder *et al*, 2002). In the Office for National Statistics study (Blackwell and Dawe, 2003) only between 50 per cent and 60 per cent of the parents had agreed arrangements and around three in ten were dissatisfied with the current position. This suggests that a fairly substantial proportion of the separated population may be experiencing contact problems at any one time and even more may go through a period when contact is problematic. A U.S. study measured the prevalence of specified contact difficulties at three time-points in a large population of all divorcing parents, not just those who were litigating over contact (Wolchik *et al*, 1996). Problems were found to be extremely common at all three points. The overwhelming majority of resident parents reported several problems, as did a smaller, but still substantial, percentage of non-resident parents.

This project builds on the studies by Trinder and Wolchik to explore the incidence and nature of contact problems in the general UK separating population – not just the families who find their way to the family courts. It seeks to address a major gap in our knowledge of contact issues and thus make an informed contribution to the debate in this vital but controversial and emotive area of policy. A better understanding of which problems are widely experienced, and which problems are likely to affect contact, can only help in the design and delivery of services for children and separated parents and the development of public policy. Separating parents themselves can also benefit from an understanding of how problems affect contact and how the effects can perhaps be mitigated.

Structure of the report

The next chapter describes the methods used to obtain and analyse the data and presents basic information on the parents and children who took part. The subsequent chapters present the findings from both the in-depth interviews and the national survey. These are organised into four main sections:

Chapters 3-5: Contact arrangements

Chapter 3 reports on how many children have contact, how often it takes place, and how it has changed over time. Chapter 4 looks at how the decisions about contact were made, and

Chapter 5 at whether parents and children are satisfied with their current arrangements.

Chapters 6 and 7: Attitudes to contact

Chapter 6 examines what parents and children think about the importance of contact while Chapter 7 looks at what parents said about their own approach to contact and that of the other parent, and how they manage contact both on a day-to-day basis and when problems occur.

Chapters 8-14 Problems with contact

This section forms the bulk of the report, looking at the type and prevalence of problems with contact, the effects that problems have on contact and on children, and comparing children's views on contact problems with their resident parents' interviews. Individual chapters look in–depth at parents' welfare and safety concerns, interrupted contact, and problems around child maintenance. A chapter on 'co-parenting' looks at parenting styles and non-resident parents' involvement in decisions and the child's daily life.

Chapters 15-17 Moving forward

A chapter on services discusses parents' feelings about the services they have used, and their ideas on what else might have helped. Chapter 16 presents parents' and children's advice to other families, and finally Chapter 17 summarises the key findings and the implications for public policy.

Chapter 2: Methodology

This chapter describes the recruitment of adult and child participants for the quantitative and qualitative aspects of the research, and explains how data was analysed.

The national (quantitative) survey

Our quantitative data comes from the responses of 559 parents to questions placed on the Omnibus Survey run by the Office for National Statistics (ONS). The survey was conducted in six waves, between July 2006 and March 2007.

The ONS Omnibus is a multi-purpose social survey. It uses random probability sampling stratified to obtain good coverage of Great Britain. Government departments, agencies and academics are able to purchase space on the survey to put their own questions to respondents. A typical wave of the survey includes questions on five to eight topics, plus questions to obtain a constant core of demographic and income data. The separate report on the national survey (Peacey and Hunt, 2008) gives details of the sample design and the rationale for choosing this survey.

Interviews for the survey take place face-to-face in the respondent's home, or occasionally over the telephone. Interviewers use Computer Assisted Personal Interviewing (CAPI) to go through the survey and enter responses. Because of the sensitivity of the subject, respondents to our questions on contact were invited to read the questions on-screen and enter their own answers, although they could also opt for the more common practice of the interviewer reading the questions aloud and entering replies. Most respondents to the questions on contact (68 per cent) chose to enter their own answers.

The survey interviews only one adult per household. This means that the chance of selection is partly dependent on household size – people living in a large household are more likely to be selected than people living alone. A weighting factor is applied to counteract this. Where percentage figures are presented in this report they have always been weighted in this way. Bases are unweighted and as such represent the real number of respondents whose answers are depicted.

Parents were asked about the contact arrangements and experiences of contact relating to one child only. Occasionally a parent was both a resident parent for one child and a non-resident parent for another child. These parents were asked about the child that they did not live with. Parents who said that they shared the care of the child more or less equally were not asked further questions.

The questionnaire

The questionnaire was devised in consultation with our advisory group, which consisted of experts in family law, contact issues, and family policy. Resident and non-resident parents were asked broadly similar questions with changes in wording where appropriate. A gap of several months was scheduled between the first and second waves of the survey to allow for preliminary analysis of the data and possible revision of the questionnaire. The questionnaire, and details about the changes made, can be found in the appendix to the quantitative report.

Response rates

Response rates to the whole Omnibus survey varied between 61 per cent and 68 per cent in the months when our questions were asked. Response rates to the module on contact were slightly lower (64 per cent overall) as respondents were able to refuse these questions while taking part in the rest of the survey. Appendix 1 of the full report on the national survey gives more details about response rates and looks at the people who declined to answer questions about contact.

When designing the questionnaire we were aware of previous research that has found

much lower response rates among non-resident parents, compared with resident parents (eg Blackwell and Dawe, 2003). We wished to avoid this as far as possible and carefully considered both the introduction to the survey and the question which established whether the respondent had any children living apart from them (see the full survey report, page 13, for more details). Despite our efforts, only 30 per cent of the respondents to the module (169 parents in total) were non-resident parents. In principle, the sample should have included roughly equal numbers of each type of parent. Since that was not the case, and given that there is nothing in the sample design that would explain the difference, it must be mainly due to different response rates for resident and non-resident parents.

We would suggest that possible reasons for the different response rates might include: the lower response rate to the survey among men compared with women, the low response rate to the survey among divorced and separated men, the lower response rate among never-married non-resident parents, and likely reluctance of some respondents to identify themselves as non-resident parents. We also noted that very few non-resident parents with no contact took part and this is a particular problem for interpretation when considering the reasons why some children do not see their non-resident parent. Page 14 of the quantitative report discusses these issues in more detail.

Limitations of the methodology

The multi-module construction of the Omnibus survey means that there is limited time available for each topic. Cost considerations were also a limiting factor. It was therefore necessary to make some hard decisions about the topics to be covered.

The main aim of the survey was to ascertain the extent and nature of contact problems among separated parents in Great Britain. We therefore took a 'problem-focused' approach to designing the questionnaire, which meant that many positive, unproblematic areas of contact had to remain unexplored. We were particularly interested in what problems had been experienced and whether these problems had affected contact. We were also interested in instances where the resident or non-resident parent had stopped contact. Areas that would have been worthy of investigation but we were unable to cover included: the effect of distance on contact, the frequency and nature of indirect contact, the detail and history of any child welfare concerns, satisfaction with aspects of contact other than frequency and child maintenance payments. Our expert advisory group were able to assist us with the main areas to focus on, although the responsibility for the final decisions rests with ourselves.

Parents with more than one child were asked about the situation relating to one child only. Repeating the set of questions for each child would quickly have become wearing for respondents with two or more children, doing so would have added significantly to the costs of the survey, and it would have reduced the time available for more detailed questions about difficulties faced.

Early in the design process, we decided against including questions for respondents who said they shared their child's care equally with the other parent. We expected that these parents would be a very small minority, and that their situation would be so different to the usual pattern of resident/non-resident parent care that many of the questions would require substantial rewording. However, as discussed below, an unexpectedly high proportion of parents said that they were more or less equally sharing care and unfortunately we lack useful information on these respondents. This report largely excludes these shared-care parents and as such cannot represent the experience of all separated parents.

This survey is also subject to the same shortcomings and sources of error as most survey research: including non-response bias, social desirability effects, misunderstanding of questions, inaccurate recording of answers. Questions about contact may be subject to additional pressures which we were not able to measure.

Analysis

The data from the six separate waves was handed over by ONS in six data files. The research team cleaned and combined the data into a single file and conducted the analysis using SPSS (Statistical Package for the Social Sciences).

Throughout this report, the survey data from resident and non-resident parents is presented separately. This was unavoidable because of the very different response rates and therefore numbers of parents in each group. At many questions, resident and non-resident parents' answers were very different. Thus it is hard to give simple headline findings as it is always necessary to present the slightly, or sometimes substantially, different pictures presented by both types of parent. For the qualitative work, the experiences and situations of the two types of parent are so different that it is impossible to treat them as a single group.

The in-depth (qualitative) study

Sample selection – parents

The parents we selected for in-depth interviews were those where the child was having direct contact with their non-resident parent, but where there had been problems around contact. Parents from families which had used the family courts were excluded because these families have previously been the focus of qualitative research, whereas much less was known about the majority of families who do not use the family justice system. We decided to focus on parents who had experienced problems but whose children still had contact, because we felt that these families were likely to provide information not only on how problems arise and how they affect children and contact, but also on how the problems can be dealt with and resolved. Thus these parents are not representative of all separating parents in the UK and we do not claim that their experiences and the themes we identify in this report represent the range of experience of all separated families. Rather, we felt that these interviewees would be able to tell us a great deal about all aspects of problematic contact.

Sample recruitment – parents

Separated parents who took part in the national survey who said that they had had contact problems, were asked by ONS if they would be willing to take part in further research. Those who agreed were asked for their consent to their contact details being passed on to the research team.

Office for National Statistics restrictions around the use of data meant that we were not able to identify individuals in the survey data set so although we had their contact details we could not match them with their survey responses. It was therefore necessary to conduct a preliminary telephone screening interview with all those who had agreed to be contacted and gave contact details (186 parents) in order to gather more information about the family circumstances.

We wrote to each parent about two weeks before phoning them to remind them of the ONS survey they had taken part in and to let them know that we were conducting some more in-depth interviews and that we would call to see if they might be suitable and interested in taking part. We made it clear that there was no obligation to take part and included a response slip and reply-paid envelopes so that people could let us know if their contact details had changed, or decline to take part in further research.

The letter proved a very useful 'warm up', because for some parents there had been several months between taking part in the ONS survey and our attempts to contact them. It also reduced the amount of explaining necessary for each phone call. However, the screening process proved far more time consuming than we had anticipated, and required great persistence to contact as many parents as possible. In the end we only managed to contact 125 of the 186 parents who had given permission for their details to be passed on, 25 of whom said they were no longer interested in taking part, leaving 96 potential participants

The screening interview asked each person:

- Whether they were a resident or non-resident parent;
- How old their children were;
- When they separated from the child's other parent;

- Whether there was any contact at present, and if so, roughly how often;
- Whether they had ever been to court over contact;
- If they had experienced problems around contact, and if so, what;
- Whether there had ever been concerns about the child's welfare during contact;
- Whether there had ever been domestic violence.

After screening, we initially excluded families where the child had no contact, those who had been to court over contact or where court proceedings were imminent, and those who said that contact had never been problematic.

The remaining respondents were categorised into three groups: those who had separated eight years ago or less and who had had significant problems (highest priority), those who had separated longer ago, and those who had not encountered much difficulty with contact. Our intention was to recruit mainly from the highest priority group and avoid those who had not had much difficulty around contact. In the end, this prioritisation approach was only possible for the resident parents; we had a very limited choice of potential non-resident parents. We did also interview one non-resident parent who now had no contact at all although at the screening he said he had some very occasional contact.

After screening was complete, we wrote to each parent to let them know whether we would like to interview them. Parents who were selected were sent further information about the study, including details of confidentiality and information about the thank-you gift we gave all participants. They were then telephoned around a week later to attempt to set up an interview appointment.

Twenty-four of the resident parents we interviewed were drawn from our 'high priority' group. Where they had children of a suitable age for participation, and both parent and child consented, the children were also interviewed. However, as we explain later, this did not generate sufficient numbers of children. In order to increase the children's sample we therefore approached resident parents who were not in our 'high priority group' (i.e. either the parents had separated some time ago or the screening interview had not identified significant problems). We interviewed both the resident parent and the child/ren in these families and this gave us another three resident parent interviewees, of whom one had separated a long time ago and two who reported few difficulties around contact during screening. Table 2.1 sets out how our final interview sample was obtained.

Table 2.1 Derivation of the qualitative sample

	All respondents	Resident parents	Non-resident parents
Number in the survey who met criteria:	277	*	*
Number of people who gave permission for us to contact them	199	*	*
Number who were contactable (i.e. gave name and phone number)	186	*	*
Number that we actually screened (many phone numbers did not work or went unanswered, or respondent declined to answer screening questions)	125	*	*
Number who were screened and were 'warm' to the idea of further research	96	*	*
Number remaining after exclusions due to court use, total lack of contact or unproblematic contact	61	42	19
Number invited to take part	49	30	19
Number of achieved interviews before 'top up' from children's interviews	38	24	14
Final number of achieved interviews	41	27	14

* Until parents were screened and said they were interested in taking part in further research we did not know which were resident and which were non-resident parents.

In total, the in-depth study included interviews from 41 parents from 40 families; 27 resident parents and 14 non-resident parents (in one family both parents were interviewed because the non-resident father, our interviewee, had mentioned the interview to the mother and agreed to her joining in.)

Problems of classification; resident or non-resident parent

We anticipated that parents would fall neatly into two categories – resident and non-resident - this was how the national survey had categorised them by determining whether they were the main carer of the child in question. For most families the classification was, in fact, straightforward. However there were a few families in this sample where it was more complex. In some there had been a change of residence, sometimes more than one. Where there was more than one child a parent might be the resident parent of one but the non-resident or contact parent of another. Further complexities arose because an interviewee might have children by more than one partner and their experiences of contact could be different (typically this affected resident parents (five families) although there was one non-resident parent who told us about his different experiences with two mothers). The complexities in the families we included means that the number of possible responses on particular issues depended on the question being addressed (parents are often 'double-counted' if different issues pertain to different children).

Sample selection – children

We aimed to interview children aged between eight and 16, who were living with a resident parent who had taken part in the national survey and subsequent screening. When suitable families were identified and the resident parent was receptive to the idea, we posted information about the project to the families, including an information sheet for the parent and a children's information sheet for each eligible child. At all stages of the recruitment process we emphasised that the decision to take part was entirely up to the child and that the parent should not try to persuade them if they did not want to take part.

We did not try to recruit children of screened non-resident parents for several reasons:

- We felt it would not be feasible to try and organise interviews with resident parents and their children using the non-resident parent as a starting point;
- The logistics of interviewing children at their non-resident parents' homes would be much harder as they spend less time there;
- We felt that it would not be appropriate to ask the child about their experiences of contact while they were actually on a contact visit.

In the event, however, we did interview one non-resident parent and his child: we had understood the father to be the resident parent and it was not until arriving at the house for interview that it became clear that he was non-resident. We also interviewed one family where the child had moved out to live with the father a week previously – but the mother was certain that this would only be a temporary arrangement.

As we had anticipated, obtaining a large enough sample of children proved difficult. Many children were too young to take part, and parents of older children were sometimes reluctant to ask or allow the child to participate. In a few of the remaining cases it was clear that it would be inappropriate to interview the child – either there had been concerns about serious abuse of the child by the non-resident parent, or the child had a condition such as autism, Asperger's syndrome, or ADHD. A further difficulty was that children's interviews were much harder to arrange; it was necessary to find a time which was possible for two or three researchers (one for the parent and one for each child) as well as the parent and the child, and despite our best efforts this resulted in failure to interview some families. We therefore decided that for the children's interviews it would be necessary to include some families where contact issues had been decided by the family courts. Families where contact had always been unproblematic, and where there was no contact, were still excluded.

Table 2.2: Derivation of the child interview sample

	Number of families
Screened families with children aged 8 or over	51
Excluded because there was no contact	13
Excluded because contact had never been problematic	6
Excluded due to unsuitability for interview *	5
Child refusal	2
Parental refusal	6
Interview could not be scheduled (probably indirect refusal)	2
Impossible to re-contact family to discuss or arrange interview	2
Number interviewed	15 (20 children)
Number interviewed where there was a court order for contact	4 (6 children)

* Excluded because the child had been abused, or the child had a disability which would have made interviewing very difficult

The parental interview

Consent was obtained with a standard consent form. [2] We collected some basic facts about respondents: gender, age, type of relationship to the other parent (married, cohabiting, brief or no relationship), the gender and age of their children, and whether they had re-partnered. Because the circumstances in each family were likely to be very varied but we wanted to cover certain key areas in each we used a topic guide rather than a semi-structured format.

Conversation with parents and children was recorded using digital voice recorders and omni-directional microphones. The digital sound files were later saved to a secure area of interviewers' computers and later transcribed.

The child interview

Children's interviews were conducted, transcribed and analysed by Dr Lesley Scanlan and Dr Margaret Robinson, who both have substantial experience conducting qualitative research with children whose parents have separated.

Children and parents were interviewed simultaneously by different interviewers, in different rooms of the home. In families where there was more than one child for interview we offered children the option of being interviewed alone or with their siblings. In all cases children chose to be interviewed alone. The meeting began with a short chat between the interviewers, the parent and the child(ren) where we explained why we were visiting, what we would be asking about, and gave everyone the opportunity to ask questions. We also made it very clear at that time that we would not tell the parent anything that the child said, and that the parent's comments would not be passed on to the child.

Interviewers discussed confidentiality with each child to ensure that the child understood the concept. Children signed a confidentiality form designed specifically for children. The interviewer started by asking the child to draw a 'family map' representing the people who were most important to them. This was an icebreaking task and the family maps were not used in analysis. Discussion then moved onto the areas set out in the topic guide. At the end of the interview the researcher emphasised how useful and helpful the child had been and asked what advice they would like to pass on to other children, parents, and professionals.

Ethics

The study was approved through the University of Oxford's ethical procedures. We realised that discussions of family separation and contact are likely to be distressing for some participants, and throughout the recruitment process and before the interview we made it clear that participation was voluntary, and that parents or children could terminate the interview at any time if they wished. Interviewers also had a list of services and help-lines for participants if they became distressed, and a protocol was drawn up for use in case a child revealed a serious welfare concern.

We felt that it was important that children and parents felt able to speak freely, without

2 Copies of information sheets, consent forms, and interview topic guides are available from the authors; they are not included here for reasons of space.

worrying about whether their comments would be passed back to other family members. We made it clear to parents and children, both in the materials we sent out and when we met the family, that children would not know what their parents said and parents would not know what their children said. In this report, we have changed some of the non-essential details of children's quotes and been careful not to link parents and children from the same family except in general terms.

Analysis of the in-depth interviews

Researchers transcribed their own interviews. NVivo, a computerised programme for the analysis of qualitative data, was used to perform preliminary coding and then secondary coding of parents' and children's interviews. The codes used came from the topic guide and also emerged from the body of data as coding, reading, and re-reading progressed.

We have often used quotes from parents and children to support the analysis presented here. The quotes are presented both as evidence and illustration of our points and are preceded by relevant text. Square brackets indicate where we have replaced direct speech with a substitution (for example, removing names) and also sometimes where we have added explanatory notes, and an ellipsis (...) indicates some speech has been omitted.

Characteristics of research participants in the national survey and in-depth interview sample

Appendix tables A1 and A2 show the characteristics of the parents and children who participated in each section of this research. More details of those taking part in the national survey can be found in Peacey and Hunt, 2008. As can be seen from table A1, the profile of parents interviewed in depth was fairly similar to the profile of parents who took part in the national, quantitative survey. As we explain in Chapter 9, moreover, although we were not able to select parents for the in-depth interviews on the basis of the types of problems they had experienced, in the event the sample did cover the broad range of problems which had been identified in the national survey.

It is important to emphasise that the qualitative work is not based on a sample which is representative of all separated parents. Rather, we selected parents who had not used the family courts, and where there had been problems but contact was continuing. We gave priority to those parents who had separated recently in order that their experiences would still be reasonably fresh. Similarly, the children we interviewed are not representative of all children in separated families - they were all (bar one) still having contact and their resident parent had told us that there had been some problems around contact.

Chapter 3: Contact and residence patterns, and changes

This chapter examines the residence and contact arrangements of children in the UK – where children live, how many children have contact, how often contact takes place and whether it includes overnight stays. It also examines how contact changes over time and the factors associated with whether contact takes place and its frequency. We first present the key points from the national survey before looking at what the parents and children taking part in the in-depth interviews had to say about how and why contact can change. In the final section we look at the issues around children's residence for the parents interviewed in the in-depth study, something we were not able to explore in the national survey.

Children's contact arrangements –findings from the national survey

The amount of detail that the national survey was able to capture on contact arrangements was necessarily limited. Including sufficient questions to present a comprehensive picture of the variety of arrangements which families have would have taken up a significant proportion of the module and left insufficient time to ask about families' experiences of difficulties. We asked parents:

- whether they had a shared care arrangement;
- whether there had ever been any contact after separation;
- whether and how often contact was taking place at present;
- whether the frequency changed during holiday periods;
- whether the child ever had overnight contact.

Twelve per cent of all those responding to the survey (resident and non-resident parents grouped together) said they had shared care arrangements. Even if allowance is made for the disproportionately low numbers of non-resident parents taking part in the survey, this still works out at nine per cent of all separated families sharing care. This was a surprising finding, which needs to be checked out in further research.

Throughout the analysis of the national survey we found differences in the answers of resident and non-resident parents. Very few non-resident parents who did not have contact took part in the survey, and because of this we feel that for many topics, the figures resulting from analysis of resident parents' answers may be more reliable. The full report of the national survey discusses this issue in more depth.

Key point 1: The majority of children have face to face contact with their non-resident parent.

Across the whole sample, 71 per cent of resident parents, including those with shared care, said that their child had direct contact with the other parent.

If the shared care parents are excluded, 65 per cent of resident parents, and 85 per cent of non-resident parents reported some contact.

Key point 2: A substantial minority of children do not have face to face contact, and most of these have never had contact since their parents separated.

Of the resident parents who said there was no contact at the moment, most said there had either been no contact since the parental relationship ended (63 per cent) or that the father was not aware of the child's existence (six per cent).

The small number of non-resident parents without current contact taking part in the study were more likely to report there had been some contact in the past but the majority said there had not (54 per cent of 24).

Key point 3: Where there is contact, the most common pattern is weekly, but there is wide variation. In families with contact, the frequencies reported by resident and non-resident parents are very similar.

Table 3.1: Contact frequency

	All families			Families where contact is taking place	
	Resident parent report (per cent)	Non-resident parent report (per cent)	Resident parent report including shared care (per cent)	Resident parent report (per cent)	Non-resident parent report (per cent)
Shared care	-	-	17	-	-
Every day or nearly every day	7	8	5	10	9
At least once a week	27	39	22	42	45
At least once a fortnight	11	12	9	17	14
At least once a month	7	8	6	11	9
A few times a year	10	8	7	16	10
Once or twice a year	3	11	3	5	13
No face to face contact	35	15	29	-	-
Total (per cent)	100	100	100	100	100
Unweighted base	389	167	465	257	143
Summary					
Shared care	-	-	17	-	-
At least once a week	34	46	27	52	54
At least once a month	18	20	15	28	23
Less often than once a month	13	19	10	21	23
No face to face contact	35	15	29	-	-
Total (per cent)	100	100	100	100	100
Unweighted base	389	167	465	257	143

Base: all parents. Parents who report shared care are categorised as resident parents where they are included.

Key point 4: Where there is contact it will typically include overnight stays, usually at least monthly.

65 per cent of resident and 79 per cent of non-resident parents whose child had contact (but were not sharing care) said this included overnight stays.

Where there were overnights 31 per cent of resident and 39 per cent of non-resident parents said this occurred at least once a week with 72 per cent and 73 per cent respectively saying it was at least once a month.

If the parents who reported shared care are included, then 55 per cent of children with contact were having overnight stays at least once a week, and 83 per cent at least once a month.

Key point 5: Children who have overnight contact tend to have more contact in the holidays, but those with only visiting contact typically do not.

53 per cent of resident and 73 per cent of non-resident parents whose child had overnight contact said there was more contact in the holidays. Extra contact in the holidays was even more likely where overnight contact usually took place at least weekly (57 per cent of these resident parents reported extra holiday contact, as did 92 per cent of non-resident parents.)

Where contact was on a visiting basis only ten per cent of resident and 19 per cent of non-resident parents said it was more frequent in the holidays and four per cent of resident and 34 per cent of non-resident parents said it actually decreased.

Key point 6: Contact is very likely to change over time, and parents are more likely to report a decrease in the amount of contact than an increase.

Although many parents reported an increase in contact (14 per cent of resident and 26 per cent of non-resident parents who have ever had contact) it was more common for them to report that contact had decreased since the first year after separation.

Resident parents of older children were more likely to report a decrease in contact compared to resident parents of younger children.

However, some children appear to have had quite high levels of contact throughout. Where parents said contact had stayed the same, nearly two-thirds of parents said that contact was and always had been at least weekly (64 per cent of resident and 63 per cent of non-resident parents whose contact had stayed the same).

Table 3.2 Current contact compared with contact in the first year since separation.

	Families where contact is ongoing		Some contact since separation (contact may not be ongoing)	
	Resident parent report (per cent)	Non-resident parent report (per cent)	Resident parent report (per cent)	Non-resident parent report (per cent)
Increased	17	29	14	26
Stayed the same	40	37	32	28
Decreased	38	31	34	34
Contact has stopped completely	0	0	17	8
Variable / Don't know	4	4	4	4
Total (per cent)	100	100	100	100
Unweighted base	209	126	246	137

Base: All parents who separated over a year ago.

Factors associated with whether contact occurs at all, and whether it is frequent

We analysed the data from the national survey to investigate which, if any, factors were significantly associated with whether contact happened at all and if it did, its frequency. A range of factors were examined individually, then regression analysis was used to find out which factors were independently associated with contact and contact frequency when all the others were taken into account. The findings summarised here are based on data from resident parents only. It was not possible to undertake a similar analysis on the non-resident parent data because of the small numbers who had no contact at all although we did do it on all the parents combined. Full details of the analyses and the results can be found in the report of the quantitative study (Peacey and Hunt, 2008).

Analysis of the resident parent data showed that the factors which were significantly associated with whether or not contact happened at all were nearly all factors which related to the parents' relationships with each other and with other people:

- Children were much more likely to be having contact if the resident parent said that their relationship with their ex-partner was friendly, and much less likely to be having contact if the relationship was hostile or if there was no relationship at all (compared to children in families where the parental relationship was 'neutral').
- Where resident parents had remarried, children were more likely to be having contact than if the parent was not in a new relationship, but if the resident parent had gone on to have more children the chance of contact was reduced.
- Interestingly, where the parents had been in a relationship but not married or cohabiting, there was a greater chance of contact than if they had been married before separation.
- Where parents had been separated for six years or more there was a lower chance of the child having contact with the non-resident parent.

Where there was contact:

- The resident parent's current relationship with the non-resident parent was strongly linked with whether contact took place at least once a week. While there was no difference between 'hostile' and 'neutral' parents, resident parents who were 'friendly' with the other parent were more likely than 'neutral' parents to report weekly contact, and resident parents who said there was no relationship were less likely to report weekly contact.
- Resident parents who had separated six years ago or more were less likely to say that their child saw the other parent at least once a week.

Children's contact arrangements – findings from the in-depth interviews

Patterns of contact in the in-depth sample

The families in the in-depth study were not selected because of the nature of their contact arrangements, other than the fact that contact was usually taking place (see Chapter 2). However the pattern of contact in these families turned out to be remarkably similar to the pattern found in the national survey. Thus, for children who were having contact the most common pattern was contact at least once a week Some parents said that contact happened fortnightly, and the remainder reported less frequent contact. Most parents also reported that the child had staying contact, which was generally a regular part of arrangements (although sometimes these were some time apart). It was quite rare for parents to report that overnight stays happened only occasionally – it seems that for this group overnight stays typically occur as a normal part of contact or not at all.

The finding that contact was quite frequent and often overnight for most of the families in the in-depth study was quite surprising, given that they were selected on the basis that they had experienced contact problems. This means that we cannot assume that because there is quite substantial contact between children and their non-resident parents that this is necessarily straightforward contact; it can be occurring in the context of a history of contact problems and even unresolved problems. Conversely, of course, experiencing contact problems does not necessarily mean that contact will be infrequent or limited.

Changes to contact

Around half the parents we interviewed in the in-depth study reported that contact had decreased over time. The remaining half were split fairly evenly between reporting that contact had increased, stayed more or less the same, or had been quite changeable.

Where contact had decreased, the commonest pattern was for there to have been weekday evening contact and some time at the weekend but for the weekday contact to have ended. Some resident parents commented that weekday contact had been disruptive for the child while others were not sure why it had ended. The few non-resident parents who reported that weekday contact had ended said either that it had decreased because it was difficult for them to manage, or because the resident parent had discouraged it. It seemed that weekday evening contact could be hard for families to manage for practical reasons, especially where children were young and had earlier bedtimes.

> *He used to pick them up from school on a Monday and take them to school on a Tuesday morning, and he used to have them every other weekend. So that lasted for a while and then, I don't know, it didn't seem a good idea for him to see them during the week because they were a little bit unsettled. ... So we stopped that and he just had them every other weekend. (Resident mother)*

> *Father: Well at the beginning it started off with them coming to me once every two weekends and me going over to see them two days a week.*

Interviewer: OK. So how long did that carry on for, how long were you going round there twice a week?

Father: Probably three or four months, certainly initially, the initial stages I was trying to do it as much as I could. And basically I moved away and it just wasn't practical. (Non-resident father)

In some families, contact decreased as children got older and other demands on their time increased, while in others, resident parents felt that contact had decreased because the non-resident parent placed less importance on contact now than in the past. Several non-resident parents said that their contact had decreased at the resident parent's behest and some thought that this had happened because the resident parent thought they were not flexible enough about contact.

They still saw him at weekends. I can't remember exactly the timescale, but things, gradually [when children aged about eleven], probably a little bit before, perhaps he didn't come on Friday, he came on Saturday to pick them up so it would just be one night they stayed, or some weekends they'd have something on and he couldn't change his arrangements so he didn't see them at all, you know, very very gradually it just reduced the time. (Resident mother)

To start with they were coming over every other weekend. And then obviously as they've grown up and they're starting to do different things it's sort of tailed off. (Non-resident father)

So anyway, she had a rant and then that was it, she just said right that's it for now, you're only having them every fortnight, not every weekend. But [I used to have] them every weekend. (Non-resident father)

The in-depth sample, however, also included several families who said that contact had increased. These tended to be families where the separation had occurred when children were very young, so that lengthy or overnight contact was initially difficult, but also included some where there was conflict about contact in the early days or where contact had been difficult for practical reasons. None said that contact had increased because children became more independent as they grew older, although the nature of contact and the way it was organised did tend to change in these families.

Interviewer: So he didn't see them very much [straight after separation]

Mother: He had them for a couple of hours here and there but there wasn't any routine.... [A few months later] he was the one who said he would have them every Friday night so I went along with that. (Resident mother)

Once [son] was born there was no way I was going to allow my new-born baby to go so he could play happy families with his girlfriend. So for quite a long time he come to the house to see them. Then he started to take them out, take them for a McDonald's and then I did allow them to go with him and his girlfriend, which was very very very hard. ... Now they go to him every Tuesday night to stay and every other Saturday night. That (staying contact) started about two years ago. (Resident mother)

Other parents described a very changeable pattern. There was no common reason for this and fluctuations in the parents' relationship did not seem to be the main cause. Rather, the changes seemed to be driven largely by external factors such as changing distance between the two households and the demands of paid work, as well as by children's changing needs.

We could not find any evidence among our in-depth interviews that a decrease (not cessation) in contact had adversely affected the relationship between the non-resident parent and the child. Although there were many cases where contact had declined, there were very few where either group of parents felt that the relationship between the non-resident parent and child was less close than it had been. Where there was deterioration, it appeared to have been caused by other factors (often the same factors which led to a reduction in contact). So, for example, one mother described how her daughter now saw very little of her father and that they were not close, but ascribed both of these to the father's problems with alcohol and to conflict within the family. None of the non-resident parents we interviewed whose contact had decreased said they felt less close to the child as a result.

Residence

While our main interest in the in-depth study was around contact with the non-resident parent, we started our interviews by asking parents about the decision on where the child would live after separation and whether there had been any subsequent changes. This was partly to get the 'facts' straight for our detailed discussions about contact but also to establish how far residence had been a matter of dispute between parents. Previous research (Trinder *et al*, 2002) concluded that one of the factors which made contact 'work' rather than simply happen was a parental 'bargain' whereby resident parents facilitated contact while non-resident parents accepted their contact status.

Most of the families who took part in the in-depth interviews followed the most common pattern of residence with the mother and contact with the father, although we had one resident father and several other fathers who reported that they had been the main carer at some point after separation. We also had two families where the interviewee was the resident parent for one child but the non-resident parent for another.

In some families, at least according to our interviewees, residence never seems to have been an issue. It was either not discussed, or it had been assumed by both parents that the children would stay with their mother. In some cases parents also said that the father's job would mean that he would not be able to have the child full-time (few interviewees mentioned the influence of the mother's job). Some parents also did refer explicitly to a belief that children belong with their mothers.

> *Interviewer: so when you first split up with [child's] mum, was there ever any argument about where he was going to live, was he always going to live with her, what was the story?*
>
> *Father: I think he was always gonna [be with mother], I don't know really, it just didn't come up. (Non-resident father)*

> *And they always say that kids are better off with their mums unless they're a bit loopy. (Resident mother)*

Maternal residence was not, however, a universal assumption. In some cases, these were families where the father had been very involved with children's day to day lives before separation, in one case being the main carer, in others the father had concerns about the mother's ability to care for the children due to depression, the demands of her job, or alcohol abuse. We also interviewed one family where the children stayed with the father after the mother moved out. And of course, in some cases the assumptions about residence were not shared by both parents.

> *Interviewer: When you and your wife first split up were there ever any arguments about where the children were going to live?*
>
> *Father: There was an assumption on her part that I challenged.*
>
> *Interviewer: That they would live with her?*
>
> *Father: Yes. But realistically it wasn't going to be anything else. Um. I think that's just the way things work, I just don't think it would have worked any other way. (Non-resident father)*

In a few families, different views about what should happen after separation led to conflict between the parents during and in the months immediately after separation. In all these families the non-resident parent gave up their fight for residence (or for shared care) without taking the matter to court, but in some the conflict lasted longer than in others. Some of the resident parents in these cases believed that their ex-partner had used the threat of 'taking the child away' as part of an expression of anger and bad feeling during separation.

> *Interviewer: And was it always decided that the children would be with you?*
>
> *Mother: Yes. I mean originally, when all the arguments were going on, [father] was just being spiteful I suppose and said 'I'm going to fight this, I'm going to fight that' but he himself turned around and said it wasn't practical anyway, he was just doing it out of anger. (Resident mother)*

It was clear that even where parents had separated some time ago, in several families

the resident parent did not feel secure about their status and worried about 'losing' the children to the other parent. In one family the son had already moved to live with his father while his sister remained with mum. The mother still felt that both children's 'real home' was with her and was sad that her child had chosen to live with Dad:

You hope that one day, yeah, he is going to want to come home, but you never know when that will be, hopefully sooner rather than later. ...Sometimes when I'm talking about this I think, that sounds so petty and trivial. To me, [child] not living with me is a big issue. (Mother who was resident parent for one child and non-resident for another)

This mother was also terrified that her ex-partner would try to 'take' her daughter away too, so although she was not happy either about the contact she had with her son or her ex-partner had with her daughter, she felt powerless to do anything about either:

Interviewer: You said that possibly these two would have been better not to have any contact, but you haven't stopped it.

Mother: I don't think I could. I think if I tried even to reduce it, never mind stop it altogether, I think he would try and take the children off me. (Resident mother)

Other parents who had had residence for years reported that the non-resident parent had threatened or mentioned that they might try for residence of the child. Where this was a current possibility, even if they did not think it was serious, all those interviewed spoke of it as a source of anxiety.

I have an inkling that he will try and push for more and more and more, just by the nature of him, that he won't be satisfied until he's got custody or something official ... When he does have a house and he settles down again, I do wonder whether he'll go for shared or sole custody. (Resident mother)

The only thing that bothers me is that he has said he would like her to live with him. He's come up with that quite a few times and said would you mind if I have (child) full time. You don't have to tell me now but. I'd been putting it off and putting it off and then we actually did have a chat and I said I don't mind sharing the days between us or anything like that, when I move down by you but... (Resident mother)

A couple of the non-resident fathers also mentioned that they were currently thinking about taking steps to get residence. However, neither had taken the idea very far at the time of interview and both thought they would face opposition from the mother.

Father: At the moment I'm giving very serious thought to going for custody. The kids have been saying they want to live with me. My ex-wife and [her new partner] have five kids between them and I don't think my lads are getting much attention. ...They get on really well here and they just want to be with me. And they get on really well with [my new partner].

Interviewer: What's your ex's reaction likely to be?

Father: Flat refusal probably. I'd like to go to her and say we can do this the easy way or we can do it the hard way. But I'm pretty sure she'd flatly refuse?

Interviewer: Why would she do that?

Father: Because she gets a lot of money for them, benefits.

Interviewer: Would that be her only reason?

Father: I'd like to say it would. She probably, she's the kids' mother, I don't suppose any mum would like to be away from her kids. (Non-resident father)

Some of the non-resident fathers with older children said that they had made sure the child knew that they would always be welcome in the home. These fathers said that they had not told the children this in order to try and persuade them to move in, but to reassure them that it was an option should they make their own choice to move. However, fathers reported that this often did not go down well with resident parents, who felt that the child was being invited to change homes. A couple of resident mothers also reported that the father had said something similar and that they had not been happy about it:

The other thing that got me is, I've always said to them, you're always welcome here, yeah.

But that's got back and been changed round to the fact that I've said to them, come on and live here. I've told them, they're always welcome here. Their bedrooms are here, they're always welcome here, not a problem. You know, not, 'come and live with me'. It just gets turned round a little bit I think. (Non-resident father)

She said that [dad] had asked her if she wanted to go and live there with them. And it did my head in cos he hadn't spoken to me about it first ...He just said, it was just making her aware that if she did ever want to go and live there, you know, it's an option. ... [It] hit me in the guts. (Resident mother)

One interesting theme which emerged was that some resident parents had threatened their child with a change of residence. This appeared to be a last-resort threat when older children's behaviour had become difficult to manage. The effect of the threat seemed to vary – one child was very upset at the suggestion that he should go and live with his Dad, whereas other children were less worried because their relationship with their resident parent had deteriorated.

Mother: A couple of times I've said to him, right that's it, pack your bags, go and live with your dad. He's pushed me that far.

Interviewer: Has he ever said 'I want to go and live with my dad'?

Mother: No. When I say that, it's 'no, don't want to go, I love you, I'm sorry'. 'Well lose the attitude then'. But I have threatened him, on more than one occasion. ... But sometimes you just get like that, what can you do? I've tried everything. Grounding him, taking his gear away, and the mouth still. (Resident mother)

And at one point [mother's new partner] threatened to ship [son] up to me. I said, 'that's fine, I haven't got a problem with that'. And that backfired on them cos [mother] suddenly realised that I was deadly serious. I was prepared to take him. ... And I think you know, he said, his mum said something and then he said 'well I'm going to go and live with Dad anyway so it don't matter'. And at that point she realised that what they had said, he was calling their bluff. And then she thought, oh hang on a minute. She backed down and it didn't happen. (Non-resident father)

There were also some children who, as they got older, were said to have decided to move in with their father. In most cases this was because the relationship with the mother, or the mother's new partner, had deteriorated to such an extent that the child chose to leave, and in one case, according to the resident parent, the child decided to move in order that his father could avoid imprisonment for refusing to pay child maintenance. With one exception, all of these moves seemed to be a permanent move to the father's home rather a temporary expression of teenage unhappiness.

[Son and mother's new partner] had a massive argument one day, he accused my son of being a racist, and my son said I'm not, I just don't like you in my house. He said it's not your house, I live here now and my son said OK, I'll get out. His mum said if you walk out that door you can take your bags with you because you're not coming back. So he ended up at my place and lived with me for two years. (Non-resident father, used to have residence of older child who was adult at time of interview)

There were issues, she was going through a particularly horrid teenage time. I'd met [new partner] and gone on to have a little girl and there were different issues, [daughter] maintained she didn't get on with my partner and that's when she ended up going to stay with her father. (Resident mother)

Children's views on residence

We interviewed two children who had changed homes. Both were older children whose relationships with their then resident mother had deteriorated:

Interviewer: Why did you decide to move out to live with dad?

Child: Because I don't get on very well with my mum, we have our differences ... Well I think if mum and I are around each other too much, we test each other's patience really. I don't know, we just get along better when we're not living together all the time. (Girl, aged 14-17)

I was basically taking advantage of every opportunity to [spend time at dad's]. I started moving my possessions here and I made plans that on my birthday I'd move out. And a few months before she essentially kicked me out not realising that I'd already intended to move. We had started fighting physically. It got basically to the point where it was impossible. (Boy, 14-17)

Although few of the children we interviewed felt that the decision about where they were to live after their parents had separated had been entirely their own, most reported being asked about the arrangements. Other than the two who had already changed residence, none of the children said they were unhappy about the arrangements and none wanted to move in with the non-resident parent on a full-time basis at present, although a couple thought that this might happen as they got older.

Interviewer: What do you imagine will happen when you're 15 or 16?

Child: A lot… cos I'll be living in [town where dad lives] so I can actually keep him company.

Interviewer: Do you think you'll actually be living with him?

Child: No, I'll be living a couple of flats above him.

(Boy, aged 11-13)

Child: When I go to high school, and that's not that long, I either get to live here, my nan's (maternal grandmother) or my dad's. So I get to choose.

Interviewer: What do you think you'll choose to do?

Child: I might stay here because I've got a few friends here. But then I might go and live with my dad, but then again I'll miss all my friends around here and I won't be able to see my mum that often. (Girl, aged 8-10)

Summary

Findings from the national survey

The national survey found that at least nine per cent of children are in shared care arrangements, spending the equivalent of at least three days and nights per week with each parent. We believe this to be the first estimate of the prevalence of shared care in the UK and it was a surprising finding which needs to be checked out with further research. Other than these families, the families in the national survey followed national patterns in that 91 per cent of resident parents were female.

Most children were having face-to-face ('direct') contact. If we include the shared care families the data from resident parents indicates that 71 per cent of children have direct contact. If we leave the shared care families out of the calculation then the proportion of children with face to face contact is between 65 per cent (based on resident parent report) and 85 per cent (based on non-resident parent report). Throughout the survey, resident and non-resident parents' reports often differed substantially, partly because very few non-resident parents without contact took part in the research. For this reason the 65 per cent figure is probably more reliable. Where parents had been separated for six or more years, children were less likely to have contact.

Whether contact happens or not is very strongly related to the parents' relationships with each other. Children were much more likely to be having contact if the parents' relationship was friendly, and much less likely to be having contact where the relationship was hostile. While this is not surprising the effect was very strong.

The effect of re-partnering and new family formation was variable. Children of resident parents who had remarried were more likely to have contact, but if the resident parent had new children, contact was less likely.

Contrary to some other research children whose parents had been married to each other were no more likely to have contact than others and in fact, children whose parents had not lived together at all were more likely to have contact than children of ex-married parents.

In the non-shared-care families where there is some contact, 52 per cent of resident parents said this happens at least once a week, a further 28 per cent at least once a month, and the remaining 21 per cent less than this once a month. (Figures for non-resident parents were 54 per cent, 23 per cent and 23 per cent respectively). Again, in those families where there was some contact, resident parents who reported that their relationship with the other parent was friendly were more likely to report weekly contact, and it was interesting to note that where the non-resident parent had repartnered, weekly contact was less likely, even though in their case re-partnering was not associated with whether contact occurred at all. Weekly contact was less likely to occur when parents had been separated for six years or more.

The national survey found that the amount of contact was quite likely to change over time and where it changed tended to decrease (in those families where there had been contact at some point, 51 per cent of resident and 42 per cent of non-resident parents said it had reduced or stopped). A drop in the amount of contact was reported more often by parents of older children.

Findings from the in-depth interviews

With one exception the families who took part in in-depth interviews all had children who were having some contact with their non-resident parent. Patterns of contact were broadly similar to the national survey and, as in that survey, many reported a decline in contact as children got older. The main reasons for this were the other demands on children's time (for example, school work, friends, interests) and demands on the non-resident parents' time, in particular from new partners or new children. In most families, however, a decrease in contact did not seem to negatively affect the relationship between children and their contact parent. Some child-parent relationships did seem to have deteriorated over time but other factors were behind this rather than a simple reduction in contact.

In most instances, as in the national survey, the resident parent was the mother and in many families this does not seem to have been an issue. However a substantial minority did report conflict over where the child would live at the time of separation or sometimes later. Many resident parents did not feel secure about their status, and in families where the non-resident parent had made threats or suggestions that they might try for residence this caused anxiety. Where the non-resident parent had told the child that they were always welcome at their home, resident parents were likely to interpret this as an invitation to the child to move homes and this often caused friction. On the other hand, several families reported that the resident parent had threatened the child with a change of residence when they found their child's behaviour problematic, and it was quite common for older children to decide themselves that they would move home and live with their other parent.

Where we interviewed children, none wanted to change their residence at present although some thought it might happen as they got older (and two older children had already done so).

Chapter 4: Making decisions about contact

This chapter looks at how parents arrived at decisions about how contact should take place. The national (quantitative) survey gives information about how many families used the courts to decide on contact arrangements, while the in-depth interviews explore how parents who have not used the courts manage their children's contact. We also look at what other factors can influence contact arrangements, such as parents' employment, demands on children's time, and distance between parents' homes.

Decisions about contact – findings from the national survey

The national survey confirmed the findings of previous research by ONS (Blackwell and Dawe, 2003) that use of the family courts to rule on contact arrangements is quite rare. In families where there was contact, just eight per cent of resident and nine per cent of non-resident parents said that contact arrangements had been decided in court. A further seven per cent of resident and three per cent of non-resident parents said that contact arrangements had been made with the help of legal advice.[3] It was most common for parents to say that there were no clear arrangements in place (25 per cent of both parent types) or that contact had been sorted out between the parents on their own (37 per cent of resident and 44 per cent of non-resident parents).

It is possible that the question we put to parents: 'How did the current arrangements come about', may have underestimated the proportion using the courts and/or solicitors. For example, even though parents could choose as many options as applied, some parents may have used courts or solicitors in the past but currently be making decisions alone or jointly with the other parent.

Table 4.1: How did the current contact arrangements come about?

	Resident parent (per cent)	Non-resident parent (per cent)
No clear arrangement in place	25	25
Developed over time	14	14
Decided in court	8	9
Mainly my decision	5	0
Mainly the other parent's decision	3	5
Mainly the child's decision	7	4
Sorted out between myself and the other parent on our own	37	44
Sorted out with the help of family or friends	2	2
Sorted out with the help of legal advice	7	3
Other	1	0
Unweighted base	256	143

Base: all parents with contact

Respondents could choose more than one option so percentages sum to more than 100 per cent. In fact very few parents chose more than one option.

In families where there was no contact, 52 per cent of resident parents said that this was a result of the other parent's decision. Nearly a quarter (24 per cent) said it was their own decision, and eleven per cent said it was the child's choice. Where there was no contact, just seven per cent of resident parents said that this had been decided by the court.[4]

3 Our in-depth interviews suggest this probably underestimates the proportion of parents who had used solicitors to help with issues around separation. However there was no evidence that the data for court use is inaccurate.

4 There were only 23 non-resident parents without contact in the national survey, one of whom said the court had decided about contact. The figures for non-resident parents without contact are not reliable because of this small base.

Decisions about contact arrangements – findings from the in-depth interviews

Parents in the in-depth interview sample were selected partly because they had not used the courts to make a contact order. They were, however, much more likely than those in the national survey to report using solicitors to arrange contact. This was perhaps only to be expected given that one of the criteria for selecting the interview sample was that they had experienced contact problems. Nearly all the non-resident parents and most of the ex-married resident parents had used solicitors at some point with regard to contact. Although in some cases solicitors were involved because the parents could not agree on arrangements for contact with the children, in others solicitors were used to formalise contact which parents had decided on their own – either together or unilaterally. Parents' use of solicitors, reasons behind their choice to use solicitors and satisfaction with the service they received are all covered in Chapter 15.

It was clear in many cases that the decisions about contact were affected by 'external factors' – limitations or pressures that did not come from the parents' relationship or their relationship with the child. We look at these factors later in this chapter, and Chapter 5 looks at parents' satisfaction with their current arrangements.

Initial contact decisions

It was often unclear from interview transcripts exactly how the initial decision on contact had been arrived at. The first few months after separation were, unsurprisingly, a fairly unstable time for many of the families in the study. In a few cases, there was contact from the beginning, but it was more common for parents to report a short time – weeks or months – before children began seeing their non-resident parent regularly. In a few cases, children seemed to have very fluid and irregular contact right from the start, with low conflict but where neither parent attempted to agree a more regular arrangement.

> *Mother: Well he never said, you know, never even said owt about seeing her really*
>
> *Interviewer: So was he not fussed about seeing her or was it just assumed that he would?*
>
> *Mother: Just assumed he would, yeah. ... I don't think he came regular, I don't think he did. I think he used to come on a Friday night when he were drunk.*
>
> *Interviewer: And that was sort of at random was it, you were never quite sure if he was going to come round or not?*
>
> *Mother: Yeah. (Resident mother)*

In a few cases, children were old enough at the time to take the lead and make their own decisions about when they would see their other parent:

> *Because the girls were at an age where they could choose really, I said to them, there's no point in us making regular commitments. You can see your Dad whenever you want. (Resident mother)*

In other families parents were able to agree arrangements together with little initial conflict:

> *Interviewer: Who decided that you'd see them every other weekend and a couple of times in the week?*
>
> *Father: I suppose it was more or less mutual. We [self and ex-wife] tried to work it out so that the free time that we had we could actually spend with them. (Non-resident father)*

For many families, however, in the early post-separation period there was considerable conflict over contact. Non-resident parents in particular commonly reported tensions at the start, caused by the non-resident parent wanting more contact than the resident parent was happy with.

> *Father: She threw a paddy over [contact] because I'd gone for the full access plus the full four weeks holiday ...*
>
> *Interviewer: Did either of you think of taking it to court.*

Father: We were going to go to court if she hadn't agreed to it. ... (Non-resident father)

[When] it started originally, we had quite a few problems when we first divorced, um, like you do. The children, I felt the children were always used as a weapon. They were two and four at the time. (Non-resident father)

Knowledge of how other families arrange contact clearly fed into some parents' decisions and beliefs about what was an appropriate amount of time.

I think I had a friend who'd recently split up with her husband just slightly before me and her children were of a similar age, maybe five and three instead of four and six but similar type of thing, and [alternate weekends with overnight stay] was what had worked for her so I thought well we'll just give that a try and see what happens. (Resident mother)

As I say, talking to other people, the internet, radio shows, you think alternate weekends, the odd day here, that's what's achievable, you've almost got this mentality that that's what's achievable. (Non-resident father)

Current decisions about contact

When we asked parents how their current contact arrangements had come about it was clear that joint decision-making was fairly unusual; most reported that just one person (usually a parent but occasionally a child) was the driving force or arbiter of contact arrangements.

Nearly all the non-resident fathers who thought that one parent was the main influence on contact thought that it was the resident mother who had the final say. Many of these fathers would have liked more contact and were unhappy with the arrangements.

Eventually she said, I would prefer it, well it wasn't really prefer, it was, 'it is going to be', that I would have her every weekend, Friday night to Saturday evening. So there wasn't a full weekend any more, it was just like one night and the day. (Non-resident father)

Some had accepted their position and lack of control, while trying to work within the limitations, whereas others continued to resent their lack of influence over contact.

Father: Mum will give me the date. And there is no negotiation about that....

Interviewer: OK. So basically, at the moment, mum is organising it, and you're expected to fit in with it, is that fair to say?

Father: Absolutely, yes. And things like half term and holidays, I maybe get an extra couple of days.

Interviewer: Of course, cos it's school holidays at the moment isn't it?

Father: Yeah I think I saw them for an extra day. I was allowed to see them for an extra day. (Non-resident father)

Resident parents were split more or less evenly on whether they or the non-resident parent was the person with most influence over arrangements. Where resident parents thought that the other parent had more control over arrangements, in some families this was linked to problems with unreliability and unpredictability (see Chapter 9). Some of these parents felt unable to press for more concrete arrangements because they did not want to jeopardise the other parent's involvement with the child, or because they felt intimidated by the other parent, or because they felt things would not change. 'I wasn't going to push it because she was seeing her dad', one mother told us while another said, 'I've just got to take it as it comes, really'.

Even if the contact itself was regular and predictable, however, resident parents who thought that the other parent had most influence over contact arrangements were also unhappy if they felt themselves to be in a situation where they had little power or control over contact. Some resident parents seem to have been pressured into contact arrangements with which they were uncomfortable:

Mother: He just put his foot down really and said, I want them every weekend and they're stopping over every other weekend and we'd got him saying it, I'm entitled, so that's what I'm getting.

Interviewer: Right, so he was going "I know my rights"

Mother: Yes

Interviewer: Right, and what did you say?

Mother: I just agreed, just to keep the peace. (Resident mother)

As the quotes from both resident and non-resident parents make clear, where one parent is felt to be making most or all of the decisions about contact, parents often have issues with power and control. However, in families where one parent took the lead in organising contact this was not always problematic. It did not automatically mean that the other parent was dissatisfied or that there were significant arguments about when contact took place (although, of course, we are relying only on one parent's version of events).

In several families arrangements were mostly, or entirely, down to the child. This was generally in families with older children but in some families quite young children seemed to be having a lot of influence over arrangements.

Father: [Older son] has the option of coming down when his brother does, or you know, we have met up on some occasions without that. And sometimes he's just turned up.

Interviewer: So he'll get the train down on his own?

Father: Mmm. (Non-resident father, older son aged 15)

[Child wanted to play football instead of visiting father]

Mother: [Child] said [to me], if you don't like it it's tough, he said, I'm old enough to make my own decisions. And I thought we were going to have an argument.

Interviewer: He's eleven, so do you, would you say he was old enough to make his own decisions there?

Mother: Yes. (Resident mother)

Several resident parents told us that clear arrangements were not in place and contact was on a very ad hoc basis. No-one was responsible for decisions or making arrangements and as a result contact in these families was quite unpredictable and tended to be less frequent. Often these families were the ones where the child was the main person influencing contact. None of the non-resident parents reported this type of casual arrangement.

Mother: Well he never said, you know, never even said owt about seeing her really.

Interviewer: Really, really. So was he not fussed about seeing her or was it just assumed that he would, or

Mother: Just assumed he would, yeah. ... I usually just leave it pretty much all up to [daughter], if she wants to see her dad, she sees her dad, if she don't, she don't. (Resident mother, child aged 13)

In a few families the contact arrangements, either those currently in place or previous ones. were made jointly with the other parent. Some of the parents who had at some point made decisions jointly reported that their separation had been quite amicable but this was not universal. Similarly, although most of the parents who were making joint decisions about current contact said that their relationship with their ex was now quite good, a couple of parents were managing to make joint decisions in the context of a hostile relationship. The key to this seems to be flexibility from both parents, and the resident parent's ability to see things from the other parent's point of view and appreciate the importance of contact to them.

Interviewer: How did you come to arrange the weekly bit? Some parents only see their children every other week.

Mother: I think it was knowing that if I was in his shoes I would want to see her as often as I could, really. It's hard really. (Resident mother)

Changes in decision-making

We were interested in whether families had changed the way that decisions about contact were made. In most of the families we spoke to, the same situation had prevailed since the parents separated, although there were some interesting cases where the balance had shifted towards the other parent or towards the child. In most of these, the change had taken place as the child got older and started to play the main role in determining when contact would happen.

> *They're old enough now to make their own decisions, so I don't force them to come over. ...[later in interview] [The children's mother] didn't want me to see them at all to start with. (Non-resident father)*

In a couple of families, there was a shift from unilateral decision-making to a joint approach to sorting out arrangements.

> *Mother: [Father] does tend to have a bit more contact [in the holidays], it could be four days or a week, it depends on his working or what I'm doing.*
>
> *Interviewer: These sound quite flexible arrangements.*
>
> *Mother: They are now, compared to what it was like when we first split up.*
>
> *[later in interview]*
>
> *Interviewer: So there was no contact initially. How did you first negotiate it?*
>
> *Mother: I had no contact with [father]. I was scared, I know it sounds silly but one day when I saw the whole family out, I was scared they would take her. My nerves were all over the place. I only spoke to him on the phone, he wanted to know why I hadn't got in contact, we would argue over the phone. I said I would contact him when I had somewhere to live and [child] was settled. (Resident mother)*

And in one family it seemed that although contact had been amicably arranged between the parents for several years it had become less organised as the children grew older and had become one of the ad hoc and unpredictable arrangements.

Children's experiences of involvement in arranging contact

There was overwhelming agreement amongst our child interviewees that children should be involved in the decision-making process and have their views taken into account. Since the decisions made affected them directly it was only right and fair that they should have a say.

> *Interviewer: Does anyone ever ask you what arrangements you want for seeing dad?*
>
> *Child: I get to decide.*
>
> *Interviewer: Do you think that's right that children get to decide?*
>
> *Child: Yes, because if parents said you had to go on Saturday and you had something on and you can't go, then I think it's not very fair. (Girl, aged 8-10)*

Overall we found that the majority of children did feel that they had been involved in making decisions about contact arrangements, even when they had not made the final decisions. A few reported that they were asked whether or not they wanted contact at all. These children felt clearly that spending time with their non-resident parent had been their own decision.

> *Interviewer: When dad first left did you immediately have contact with him?*
>
> *Child: Yes, straight away. My mum would say 'Do you want to?' She wouldn't say, 'you have to see your dad'. She'd organise to see him at the weekend, but if we didn't want to go she'd tell him we didn't want to come. Because we were so young I don't think she thought we needed to know, but we knew we didn't HAVE to go. Sometimes she'd want us to go because we hadn't seen dad in ages but she wouldn't MAKE us go. She'd always listen to us. (Girl, aged 14-17)*

Most said they had not made the final decisions. Nonetheless, the majority were satisfied with how matters had been managed because they felt they had been involved to some extent in the overall process. The most common method of involvement reported was that parents asked them what they wanted and then organised contact to take their views and needs into account. In this way most children felt they had been involved, consulted and listened to:

Child: I think it wasn't like a definite decision but we'd all sort of agreed. Well me and my sister had agreed and my mum just said, 'Yeah that's fine' and nobody tried to interfere with it or anything.

Interviewer: Overall do you think you get enough say in the decisions that are made?

Child: Yes definitely. (Girl, aged 14-17)

Even when children reported that they had not initially been consulted about the arrangements, most thought that their parents had subsequently attempted to ensure they were happy with the arrangements proposed. These children generally felt they were involved because they believed they could say if the arrangements did not suit them.

Child: Well my mum kind of asks me if it's OK. She decides with my dad and then she asks me and my brother. She asks us and we say 'Yes'.

Interviewer: If you didn't like what they were suggesting what would happen then?

Child: Well I would say 'Can we change that to a different day?' or whatever. My mum would have a discussion with my dad saying 'Is it all right if we change it to a different day?'

Interviewer: Would that work out for you?

Child: Yes. (Girl, aged 8-10)

In a number of families the children were unaware of any formal decision-making about the contact arrangements. These children gave the impression that arrangements were made in a rather ad-hoc way with parents and children both involved – similar to the reports of some parents presented above.

Interviewer: Do you feel the arrangements are someone else's decision or yours?

Child: I don't really know to be honest. Sometimes it's them, they arrange it or if they can't arrange it then they leave it down to me.

Interviewer: Do you get enough of a say?

Child: Yes I have enough. I'm happy with the way it is. (Boy, aged 11-13)

Age was a key factor in children's experience of, and views about, involvement in decision-making. Some of those interviewed said that although they were now involved they had been too young to influence decisions directly when their parents separated and decisions were first made and that this was appropriate.

Interviewer: As you've got older have you become more involved in making arrangements?

Child: I think so yeah because if we don't want to go over or something we know dad's going to ring, so we'll decide [then] if we don't want to go over or if we do. My mum'll go along with it. She'll ask us why, but she won't stop us from doing what we want. (Girl, aged 14-17)

Child: I was really young when they split up, I was five. I have always been asked but not always taken into things when I was younger, because I was so young. Interviewer: When they first split up were you asked who you wanted to stay with?

Child: No.

Interviewer: Do you think you should have been?

Child: No, because my dad was in a bad state. I think my mum made the right decision that we should stay with her. I think my dad would say the same thing. If we'd have stayed with him then it could have all gone horrible. (Girl, aged 14-17)

Most children felt that there was an appropriate age at which children should be involved in decisions. What this age should be was unclear but there was some consensus that by 14 or 15 children should be able to make at least some decisions for themselves.

Interviewer: Do you feel you get enough say in whether or not you see your Dad?

Child: Yeah, sort of. Now I get a bit more say because before I always thought I really want to see my dad, but now I feel like I might not want to go for whatever reason. So I do sort of get a say in what goes.

Interviewer: Do you think that will change in the future?

Child: It's probably more to do with my age because I'm not old enough yet to be able, I don't think, to make those kind of decisions.

Interviewer: What age do you think you'll be able to make those decisions?

Child: Probably about 14-15. When I can start going out on my own safely, when I become a little bit more responsible. At the moment I'd like to have a little bit of choice but have everything laid out so that I don't have to make hard decisions. (Girl, aged 11-13)

Perhaps, like this girl, the boy below was thinking about the responsibilities that come with decision-making when he told us that he did not always want to be the one to make the decisions.

Interviewer: You said you decide when you see dad, is it always your decision or sometimes do they decide things without you?

Child: Sometimes they do, like it's only my mum can know when she's going out and then I stop at dad's.

Interviewer: Do you get enough say in what happens?

Child: I think I get most of it, maybe a bit too much, it's usually me who gets to say what happens. (Boy, aged 8-10)

Over the years, when alterations (most of which were minor) were made to contact many children described gradual change, without the need for any formal decision making process. A number of children, like those above, indicated that some times the people involved 'agreed' beforehand what should happen. But, in most cases children gave the impression that they initiated gradual changes themselves. For example, here an older girl describes gradually decreasing contact with her father because she no longer enjoyed her visits due to difficulties with her father's new partner and her half-siblings.

Interviewer: Whose choice was it that it changed at that time?

Child: Not sure really, it just sort of happened. Probably ours because we'd miss one weekend then things would feel better and it would be a better weekend [with dad]. [Or] we'd think 'Well I'd rather not go next weekend'… it just sort of spiralled off.

Interviewer: So no one actually asked you about it?

Child: No it was just sort of a gradual change.

Interviewer: Were you completely happy with the change?

Child: I think so although I did miss seeing him but now we're older I think I've sort of grown out of it a bit (Girl, aged 14-17)

Sometimes though change was even more organic. For example, one young man described how playing and watching football at the weekends led to changes in his contact with his dad. He went on to say that the changes occurred in such a natural way he hardly noticed the difference.

Interviewer: Who decided to change the arrangement?

Child: We never really decided it just happened.

Interviewer: Were you happy with the change?

Child: I didn't really notice it. (Boy, aged 14-17)

Overall our interviewees indicated that children should be involved to some extent in decisions made about their contact but not be totally responsible. Typically they felt they had been involved and the vast majority were satisfied with their level of influence over apparently major aspects including frequency of contact and length of visit.

External factors affecting contact - parental accounts from the in-depth interviews

Although the focus of this research is on problems, contact and decisions about contact can be affected by other 'external' factors, by which we mean anything outside the relationships between the parents and the children. This was something we were not able to cover in the national survey, so all our data comes from the in-depth interviews.

The most important 'external factor' which parents felt affected contact was clearly the influence of new relationships and new children. We look at this in detail in Chapter 9. The next most frequently mentioned issues were the non-resident parent's geographical distance from the child, and the influence of other family members.

The distance between the two parental homes is a factor which previous research has consistently found to be a factor associated with whether or not contact takes place (Pryor and Rodgers, 2001). The topic was raised by many of the parents we interviewed. Proximity was a positive factor in many families in that when the parents lived close together it was easier to arrange visits, contact could be more frequent, and in some cases older children were able to move between houses independently.

> *Father: [Child] only lives up the road, he doesn't live far away.*
>
> *Interviewer: OK. And how often do you see him now?*
>
> *Father: Couple of times a week.*
>
> *Interviewer: Does he stop over, does he stay?*
>
> *Father: He's got his own bedroom so he stays over whenever he wants to stay over. (Non-resident father)*

However this generally only really seemed to work well when the parents' post-separation relationship was reasonably civil. In some families where the parents lived close to each other contact had been very problematic and proximity may have created more opportunities for conflict between parents, or new partners.

> *He only rowed really when he was on his way home from the pub and full of drink and bravado. And then he'd stand outside shouting and things. ... (Resident mother)*

A few non-resident parents, like the father quoted below, had decided to move house in order to be closer to their child. Another said that he would move if he thought it would improve things but the child's mother had told him that more contact would not be possible even if he did. However in all the families where the non-resident parent had moved, they felt that their contact had improved.

> *They live a mile away from me now. I moved here from [place] because it was better contact with my children. I could have stayed over there, it was a nice little flat; I'd made a lot of friends over there, I had a decent social life. I sacrificed that, over here I'm isolated, I've still got friends in [previous home]. But I moved here to spend more time with my children. (Non-resident father)*

Where the parents lived further away from each other, it was not surprising to find that they found contact was less frequent than it could otherwise have been. Even quite short distances meant that weekday contact became difficult, and longer distances meant that visits had to be planned ahead of time, losing spontaneity and ease:

> *[Father describes moving about 15 miles away after separation]: And for a while I still went up there.*
>
> *Interviewer: in the evenings you mean?*
>
> *Father: Yes. But it's just, very difficult to get back at the end of the evening and things. (Non-resident father)*

> *Interviewer: What would be the ideal for you do you think? What would you really like to happen in terms of them seeing their Dad?*

Mother: I wish that he lived closer than what he does. And when we first split up, before he bought a house, he said to [child] 'I'll buy a house near enough to you so that you can come round on your bike after school and have tea with me'. Which would have been great. (Resident mother)

In one case the resident mother lived abroad. The non-resident father had been keen to have as much contact as possible in the holidays despite the distance, but the resident parent was reluctant to allow the children to visit because of, according to our interviewee, unfounded fears of abduction. He had not felt able to take the case to court, nor could he afford to go over there to stay regularly himself. Thus for years his main means of communication with his children was by telephone.

The influence of extended family members on contact has also been highlighted in previous research (Trinder *et al*, 2002). The importance of their role was very clear in some of our cases. Most frequently it was one of the child's grandparents, but older children, aunts and uncles, and even great-grandparents also featured. Although both positive and negative influences were reported, positive effects were more common. In some cases family members were essential to contact because of the facilitating role they undertook; taking the child to and from contact visits, supervising contact where there were concerns about the non-resident parent's care of the child, or making their homes available for contact. One mother, for instance, told us how she was not able to meet her child's father because of his serious violence towards her pre- and post separation. Having initially managed contact herself until an assault for which father was imprisoned, contact probably would have broken down completely without the intervention of first paternal and then maternal relatives which both enabled and encouraged contact:

Mother: My mum has actually stepped up and been taking her, so that I don't have to be involved and everything. And so that we don't have to go through court or access centres or anything. ... [Before her mother offered to help] it was probably once every couple of months when his grandmother came down.

Interviewer: She doesn't live round here then?

Mother: No, she lives [about 100 miles away]. So whenever she could get down, that was when he was seeing her, which weren't very often. But then more recently my Mum said that she'll take her once a week.

Interviewer: So basically, sort of, at that point in time it really depended on [father's] grandmother?

Mother: Definitely, yeah ... But I think they've put a lot of effort into forcing him to bond with her if you know what I mean

Interviewer: No, tell me what you mean?

Mother: Well his grandmother's really pushing, I think, him more to be involved in her life. And even though he says he wants to be, I think she might be more the driving force behind. I don't know why really, that's just what I personally feel really, could be wrong. (Resident mother)

In other cases, as we describe in Chapter 13, family members' feelings that contact was important for the children persuaded one or both parents to make contact happen.

Some families also described intervention from outside the family which had had an impact on contact and parenting. Although friends were not mentioned as having a significant influence over contact, in two cases the child's teacher or childminder had intervened in an attempt to increase the non-resident father's involvement with the child.

And the school got involved, one of the mentors, and she knows [Dad's] family, and she said 'I had a really good talk to him'. ... She said, 'I've rung [Dad] up, cos [child]'s expressed to us that he wants to see more of his dad, and we know you've done your part and asked him. 'But', she said, 'we're thinking of [child] so I've rung him and he's coming in to do a breakfast meeting.' (Resident mother)

The childminder, I can see that she's worked a lot of that stuff out, and when I go down there she tries to get me involved with a lot of stuff, so she'll say, 'oh she's been sent home with this letter' or all those kinds of things, so that I am aware that it's there. And she's done that off

her own back cos she's worked out that I was being cut out, that I'm not being involved. (Non-resident father)

There were cases, however, where the involvement of other family members was not helpful. In two cases there were welfare concerns about the grandparents which meant the resident parent was anxious about the child spending time with them. Several parents (resident and non-resident) reported that the grandparents on the other side of the family were very hostile, often expressing their views in front of the children. In one case the resident mother told us that her own parents thought there was too much contact, and in another the non-resident parent's mother was said to be hostile and difficult to deal with, and had used a solicitor to try and secure more contact for herself and the child's father.

My parents think I give [the father] too much, I'm too lenient with him, he has too much contact, he has too much of a say in [child's] upbringing. (Resident mother)

Father: But I definitely think her mum's got a big influence on her. ... she verbally abused me on the phone, her mother. 'You're disgusting, blah blah blah, you should make sure your son doesn't act like this, [mother's] upstairs crying.' ...

Interviewer: So he'd been playing up and they thought it was your fault?

Father: Well I don't know really. I was shocked to get shouted at on the phone by a 70 odd year old woman who thought it was quite OK for her to shout at me while [my son] was in the room. And I do think that they do try to paint me in a bad picture to him.

Interviewer: Has [child] said stuff that's made you think that then?

Father: Well no, you just get the idea cos I know what her mother's like, so. I don't think she's really ever liked me. (Non-resident father)

Other important external factors included demands on parents' time. Parents' employment was often a factor that significantly limited the amount of time they had for contact, and in some cases meant that contact was irregular or unreliable. For example, a resident parent whose ex-husband worked as a courier complained that his job meant unpredictable late nights which affected contact arrangements. Families where the non-resident parent worked shifts found that this negatively affected contact arrangements as well. In a couple of cases, however, resident parents felt that the non-resident parent was hiding behind his job to an extent, and not making the effort to carve out more contact time.

I think he would admit that things could be sorted out better. Cos he did actually say to me, I can't, but then he does say it's his job. But half the time, like I say, I have done the [same] job, I know there isn't that many last minute jobs like he says. (Resident mother)

For their part, two resident parents explained that their own job meant that they had limited 'quality time' with the child during the week and therefore were reluctant to agree to more weekend time:

Mother: I think also cos I was working full time I didn't want to have [contact] any more than that, because I didn't feel I was having enough time with her. You know, it's not like being at home all the time. And I wanted more time with my daughter not less.

Interviewer: So every weekend would have meant that you just missed out on it all?

Mother: Oh yeah. (Resident mother)

Competing demands on children's time was a significant issue in many families, especially as children got older. Sports, other interests, and spending time with friends became more important to children, which meant that there was less time available for contact. Several parents with younger children anticipated that contact would decrease in the future as their child got older for this reason. Some non-resident parents with older children were sad about seeing their child less often but in general accepted it as an inevitable part of growing up:

But they've got their own minds, they're young men now, they have, the youngest boy's got a girlfriend, the oldest's got a couple of girlfriends! And he's got his group of friends, goes to the gym, goes to the concerts, they're developing into adults now and there's less time to see your dad, you know. (Non-resident father)

He plays rugby for a school on a Saturday, and for a rugby club on the Sunday. And his dad said he'll only bring him over to one of them, he won't bring him over to both. ... And it's not fair on the club either if he's only turning up every other week. I wouldn't put someone in the team if they weren't coming every week. So for that reason I'm surprised that he still goes [to see his dad], and I think when he gets, at the age he is now he's not out with his mates at the weekend but I think in a couple of years that's what he'll want to do and I don't think he'll be bothered going to his dad's any more. (Resident mother)

In some families, the housing situation of the non-resident parent was a factor which limited contact. (Previous research has also highlighted this issue, see for example, Simpson *et al*, 1995). Non-resident fathers who moved out of the family home into smaller accommodation or into friends' or relatives' homes were generally not able to have children to stay overnight. In some cases this was a reasonably short-term issue but for some parents it was still a factor at the time of the interview.

Interviewer: If you couldn't get full custody [which father said he was thinking of going for] would you like more contact? You don't have them to stay at the moment?

Father: Very occasionally. But this is only a one bedroom flat. And I work long hours so at the moment that's all I can manage. (Non-resident father)

External factors affecting contact – children's accounts

We asked children whether distance had been a problem for their contact. Several felt that it was a factor which limited the time they could spend with the non-resident parent. These children would have liked it if their parents lived close enough so that they were able to see their non-resident parent more often, although one thought that the distance would become less of an issue as he got older and was able to travel independently.

Interviewer: Is the distance between the two houses a problem?

Child: Yeah. He lives in [place name].

Interviewer: How do you get there?

Child: My dad picks me up.

Interviewer: Would it be better if he lived much nearer?

Child: Yeah, like if it were a couple of streets away I could just go and see him. (Boy, aged 8-10)

Child: I don't get enough time with him.

Interviewer: What would you prefer?

Child: That he lives closer so I can actually go to his house in case of any problems or if the bus breaks down I can get to his house quickly. (Boy, aged 11-13)

Another external factor which children commented on was the demands on their own time

Interviewer: Are there any problems you have with your contact?

Child: [Thinks for a bit] Well apart from we're really busy at the moment with school so we don't really get to see him much anyway. (Girl, aged 14-17)

Many of the children were aware that their non-resident parent's work could limit contact as well.

We don't really organise it, we just pick random times. He goes abroad and stuff with his work so we have to fit it around that. ... He used to phone every night but now it's more like every other night cos he sometimes gets home late from work and stuff. (Girl, aged 14-17)

Interviewer: Can you think of anything in the past that caused difficulties in seeing your dad?

Child: Mmm, mostly work, him working. Him being busy. (Girl, aged, 8-10)

None of the children thought it was unreasonable that their contact needed to accommodate their non-resident parent's job, but in a couple of cases they did feel that this parent had not got the balance right or that the demands of the job were unfair to the child:

> *Interviewer: In an ideal world what would make you completely happy?*
>
> *Child: I would go to my dad's, he would put work aside for at least half of the day, even if it's not all the day because I understand that he does have to work*
>
> *[later in interview]*
>
> *Interviewer: What would be better for you?*
>
> *Child: I say 'Can we do this?' and dad says 'Yeah, sure, I'll just get my shoes on' rather than 'Just let me finish this e-mail' and then he has to do ten more. (Girl, aged 11-13)*

> *Child: Sometimes I'll ask my dad [why there isn't more contact] but I ask him and he just says it's work and that…*
>
> *Interviewer: So his job's a bit unpredictable?*
>
> *Child: Yeah… and my mum she says 'we don't know cos dad might be working' and everything.*
>
> *Interviewer: Do you think that's a good explanation?*
>
> *Child: No.*
>
> *Interviewer: Why not?*
>
> *Child: Cos like, I don't know really .*
>
> *Interviewer: What would you prefer?*
>
> *Child: Like telling me why my dad don't know, and before he comes like. And if he had set times to finish at six he could finish at six. It might be like five o'clock and if he's not going to get back for half six then he says 'I can't do it' [the pick up]. Cos it might be like half five and then he gets an hour job or it might be five and he gets a three hour job. (Boy, aged 8-10)*

Summary

The national survey

Where there was contact, just eight per cent of resident and nine per cent of non-resident parents said that the contact arrangements had been decided by the family courts. A further seven per cent of resident and three per cent of non-resident parents said arrangements had been made with the help of legal advice. It was most common for parents to report that they had sorted out the arrangements together with the other parent without any other help (37 per cent of resident and 44 per cent of non-resident parents) or that there were no clear contact arrangements (25 per cent of both parent groups).

Where there was no contact, just seven per cent of resident parents said that this was due to a court decision, 52 per cent said it was the non-resident parent's choice, and 24 per cent said it was their own decision.

The in-depth study

The parents who took part in in-depth interviews were more likely to report having used solicitors to arrange contact. Nearly all the non-resident parents and most of the resident parents who had been married had used solicitors..

It was most common for parents to report that there was a short time after separation where there was very little or no contact between the child and the non-resident parent. Non-resident parents often reported that there had been a lot of conflict at the start over contact but this was rarer among resident parents. In many families it was not clear how the early decisions about contact had been made, but children's views and parents' beliefs

about what happened in other families were clearly influential.

Asking parents how the current arrangements had come about, we found that it was quite rare for parents to feel that the decisions about contact were made jointly, although this was happening for some families and not always in the context of an amicable relationship between the parents. However these parents seemed to have a degree of flexibility and an ability to see things from the other point of view which made joint decision-making possible. In some families arrangements at the time of the interview were mostly influenced by the child, and these were often unclear and rather ad hoc arrangements. Overall, the children we interviewed thought that they had enough input into arrangements and were happy to be involved to some extent without having to make the final detailed arrangements. Children indicated that they had become more involved with decisions about contact as they grew older, or expected to have more say as they grew up, and felt that this was appropriate.

Most parent interviewees felt that one of the parents was the main driver behind decisions about contact. Non-resident fathers nearly always felt that decisions lay with the mother and generally would have preferred to have more contact. Some accepted their lack of control over contact whereas others resented this. Resident parents, on the other hand, were fairly evenly split over whether the main influence over contact lay with themselves or the non-resident parent. When they were the ones making decisions they did not find this problematic, but when the non-resident parent was felt to have had more influence this was often linked with problems around unreliability and unpredictability, or with wider issues of power and control between the parents.

During discussion of arrangements and decisions, both parental and child accounts referred frequently to 'external factors' which could limit contact (i.e. anything outside the relationship between parents and between parents and children). Proximity could be an enabling factor for contact in the same way as distance limited opportunities for contact, but geographical closeness could also lead to problems for some families especially where there was a high level of conflict. Many children expressed a wish that their parents lived nearer, feeling that this would make it easier to spend time with their non-resident parent. Some parents described how other family members, particularly grandparents, were very influential; sometimes enabling contact but sometimes causing welfare concerns or expressing hostility. Paid work was certainly a limiting factor for many families – something which children were generally understanding about although some felt that their non-resident parent devoted too much time and attention to their job. And finally, many parents mentioned that children's own interests and demands on their time meant that contact opportunities were limited and available time often decreased as children grew older.

Chapter 5: Satisfaction with contact arrangements

In Chapter 3 we established that the majority of children in our national survey currently had contact with their non-resident parent, although a substantial minority did not. Where contact was taking place the frequency varied widely but was most commonly weekly. Contact typically included overnight stays. Over time the contact arrangements were likely to change, with a reduction in contact being more likely than an increase although both patterns were evident.

In this chapter we look at how satisfied our interviewees were with their current contact arrangements. We first summarise the findings from the national survey, and then explore the views of the sub-sample of parents and children who took part in the qualitative, in-depth interviews.

Key findings from the national survey

Where there was no contact almost all non-resident parents (16 of 19, 81 per cent) were dissatisfied with this. Although most resident parents (62 per cent of 99) were not dissatisfied, 21 per cent said they wished there was contact, with 17 per cent being uncertain.

Where contact was taking place all non-resident and all but four per cent of resident parents wanted it to continue. Many parents, however, were not happy with the frequency. Only 27 per cent of non-resident parents were satisfied about this, with 73 per cent wanting to see their children more often and none less. Resident parents tended to be more content with contact frequency (44 per cent) although 37 per cent said they would like it to happen more often and eight per cent less.

Satisfaction levels tended to reduce, for both sets of parents, in line with frequency, with the most satisfied groups being those where there was overnight contact at least weekly (68 per cent resident, 37 per cent non-resident), declining to 23 per cent and 13 per cent respectively where it was less than monthly.

Irrespective of how often contact was taking place the majority of non-resident parents wanted more and their levels of satisfaction were consistently lower than those of resident parents. 65 per cent of non-resident parents who had contact on at least a weekly basis and 63 per cent of those who had at least weekly overnights wanted more frequent contact. A substantial minority of resident parents whose child had at least weekly contact (31 per cent) also wanted there to be more, although 10 per cent would have preferred less (seven per cent) or (three per cent) none at all. Similarly 22 per cent of resident parents whose child had overnight contact weekly or more would still have liked there to be more, with only eight per cent wanting less.

Dissatisfaction levels were highest, for both resident and non-resident parents, where contact had decreased over time. Nonetheless, even where it had increased, most non-resident parents (75 per cent), and a substantial minority of resident parents (32 per cent), still wanted contact to be more frequent. However 21 per cent of resident parents were not happy that the frequency had increased with twelve per cent wanting contact to reduce or (nine per cent) not take place at all and even where contact had decreased seven per cent would have liked it to reduce still further and six per cent to cease completely.

Chapter 5 of the full report on the national survey (Peacey and Hunt, 2008) has more details about satisfaction.

Findings from the in-depth interviews with parents

As explained in Chapter 2, our in-depth interview sample was designed to consist solely of families in which at least one child was having contact. However, we did interview one non-resident father who had no contact with his only child (at the time of the survey he had very infrequent contact but this had subsequently stopped) and two resident parents who had one or more children with no contact, although they had other children who did have contact.

The data reported below relates only to the cases where contact was ongoing. Perhaps for this reason, only around half of the non-resident parents interviewed in this stage of the study (compared with 73 per cent of those in the national survey) expressed dissatisfaction with the arrangements. The resident parents interviewed, in contrast, did constitute a more discontented group, with most expressing some dissatisfaction, more than in the national survey (56 per cent).

Unlike the national survey, which asked only about parental satisfaction with the frequency of contact, the in-depth interviews gave parents the opportunity to talk about other aspects of the arrangements as well. In the main, however, where there was discontent it did focus on the amount of contact with only a few mentioning any other issues apart from reliability (which we deal with separately elsewhere, see Chapter 9). Indeed there were only two parents who were generally satisfied with how much contact was taking place but wanted other changes. Thus one resident mother, whose children spent every Saturday night and Sunday with their father, said she would ideally want alternate weekends:

> *I'd probably say have them for a whole weekend every two weeks, the Friday and Saturday night so they get to spend more time with him [in one block]. And sometimes I feel quite mad as well because I'm at work Monday to Thursday, then [child] is at school Friday and then on Saturday they go to their dad's, so I don't really see them for that block of time. (Resident mother)*

Another wanted the father to take the children away on a proper holiday occasionally rather than just taking them to relatives. In the main, however, the parents who wanted any changes were also not happy with how much contact there was anyway.

As we found in the national survey, those who wanted change typically wanted there to be more contact. This applied to all the non-resident parents who wanted change and most of the resident parents.

Those who wanted more contact were not necessarily referring to frequency of routine face to face contact, or not only that. One non-resident father, for instance, wanted there to be staying rather than just visiting contact; another wanted longer weekends; two wanted occasional ad-hoc additional contact. Two resident parents wanted their ex-partner to have the child more in the holidays, another would have liked the child's father to ring during the week, in between contact visits, while a fourth was disappointed that father had never taken up her offer of additional contact:

> *Mother: I would rather he saw more of them.*
>
> *Interviewer: Have you said that to him?*
>
> *Mother: Yes, on several occasions. I've said to him you can come over whenever you want to, if you just let me know, at weekends when it's not your turn, or during the week if you want to take the children out somewhere, and in six years I don't think he ever has once in all that time. Which I find quite disappointing really. (Resident mother)*

In general, however, the parents who wanted more contact simply wanted it to take place more frequently.

Where resident parents told us they would like there to be more contact, current levels tended to be low (once a month or less) with only one child having regular contact every other weekend and only a few having overnight stays.

> *He sees them less and less than he ever has done. He doesn't see them any extra, probably even less during the holidays, even in the long school holidays. He doesn't make any extra effort to have any days out with them, when he's on holiday, even one day out would be nice,*

you know. (Resident mother; teenage children, visiting contact once or sometimes twice a month)

I'd quite like her to have a bit more regular contact. Specially now she's a bit older. I think every other weekend would be quite nice for her. Just to build a bit more of a closer relationship with them [father and new partner]. Cos they know her but they don't know her the way I do, you know. So I think it would be nicer for her to go, and maybe this year I'd like her to go and spend a couple of weeks up there in one go, so you know, they can have the full experience of [the child]. (Resident mother, visiting contact once a month, one child aged 10)

As to why there was less contact than the resident parent would have liked, in one case it was said to be the child's own decision (perhaps related to the fact that her older sister had completely opted out of contact) and in others distance (as reported in the previous chapter) partly restricted the frequency with which contact could take place:

In an ideal world I'd like him to maybe live at the top of the road. At the top of the road, have a lovely like nine to five job or something, and he could come round and see the kids, and have them maybe every other weekend. Cos a lot of people seem to say, 'oh my ex has them every other weekend and we have that religiously'. (Resident mother, children aged 11 and 9, staying contact once, sometimes twice a month).

As this mother went on to say, however, while distance meant her ideal arrangements were not feasible, it would have been possible for the children's father to have them more frequently: it was not just a matter of distance:

Well then I say, 'well are you going to see the kids more, because I need a bit of a break?'. He makes me feel bad cos he then says 'you shouldn't be wanting a break cos at least you've got the children', is what he says. 'I haven't got the kids' he says 'I can't have them all the time'. And I think 'oh, but we all need a break'.

Several other resident parents similarly placed the responsibility for the low levels of contact at the non-resident parent's door:

I just wish that he would make more time for her. I wish that he could be just that little bit more bothered. It would be nice if he could make arrangements and stick to them. (Resident mother, irregular visiting contact)

Two of the non-resident parents who wanted more frequent contact were already seeing their children every other weekend for staying contact. One also had two additional visits per week. What he ideally wanted, however, was an equal division of time. Even though he felt this was practically feasible he was no longer actively pursuing this:

My ideal scenario was a week each but the reaction of her mum, the reaction of solicitors, there's no sort of precedent in law, you're up against a brick wall. And you'd only be asking for it to use it as some sort of negotiating tool to get what you want. (Non-resident father)

The second had seen his contact reduced twice, initially following an argument with the mother; subsequently because, reportedly, of the children's expressed wishes:

Father: When it settled down a bit I had them every weekend and I always have done, up until about 18 months ago. But she decided, because I couldn't help her in the week she said 'right that's it, if you can't do anything in the week'. So anyway, she had a rant and then that was it, she just said 'right that's it for now, you're only having them every fortnight, not every weekend'. [What she's saying now] is that now it's going to be, they've said they don't want to come 'til 10 on Saturday morning and they want to be back at 7 on Sunday night.

Interviewer: OK, and what were you doing before?

Father: Pick them up from school on Friday, take them to school on Monday. [What I would like is] to see them every other weekend and split a weekend, something like that. So that I have a weekend, Mum has a weekend, and split a weekend, and start again. (Non-resident father).

Another non-resident father who wanted more contact and felt that the resident parent was denying this lived many miles away from his two year old son and was only seeing him for a few hours every other week. He desperately wanted this to be increased and ideally lead to staying contact. Having failed to get more, however, he was reluctant to jeopardise the contact he was having by being more persistent, trusting that over time it would develop:

Father: Ideally I would like the situation to get to I could have him up here, maybe on the alternate weekend, I could pick him up, maybe on Friday night or Saturday morning and drop him off on a Sunday afternoon.

Interviewer: Is that what you're working towards?

Father: Yes, I do truly believe that is the way mother wants to work towards as well. Whether I'm right about that I don't know.

Interviewer: Is that frustrating for you or do you just live with it?

Father: It's frustrating but I bite my tongue, I bite my lip, everything. I just put up with it because I'd rather not rock the boat. Because I have this fear at the back of my mind that if I object and start to say anything she'll just say 'no, you can't see him any more'. That may be a little unfair though, because she hasn't given that impression. She's maintained the regular contact.

Interviewer: Have you ever been tempted to push for more?

Father: I've asked. I asked if I could have more contact, could I see more of him but I got a flat no, the reason that was given to me was she wanted time with him and criticised me as a human being and father. (Non-resident father)

Parents who wanted there to be less contact

As noted above, we interviewed a few resident parents who would have preferred less frequent contact.

These were all resident mothers whose children had regular staying contact. Two of them wanted to be able to spend a whole weekend with the children. In the first family the arrangements had been the same since the parents separated, eight years previously:

I look back on it now and I think to myself, well no because he should have had them every other weekend and that was it. But then his attitude is, 'but I've been there since they were born'. Well so have I but I'm missing out on spending time with them at the weekend. (Resident parent, staying contact alternate weekends, visiting contact all day every Saturday, children 11 and 9)

In the second, the original agreement had been for the child (then aged two, now seven) to be with his father from Thursday to Sunday evening every week. The mother had already stopped the Sunday stay (because it meant she had no weekend time with the child) and would have now preferred to move to alternate weekends, although recognising that there had been and still were some advantages for her in the arrangements, and that her youngest child really enjoyed his time with his father, who she acknowledged was 'just devoted' to him:

[Originally] it suited me 'cos it meant I could go out Friday and Saturday. And also I've got [older half-sibling]. And [older child] and [younger child] fight a lot. So it means I've got a bit of time with [older child] really. ...It's quite difficult really because [younger child] really wants to go and see his Dad as well, but I think that might be partly because, um, he is there more, and he can give him, he does give him a lot of time really. They do a lot of play-station and things like that, and play basket ball. They do a lot of boys' things. Whereas I suppose when [younger child's] here he does tend to play with the boys next door and he tends to play with other friends rather than me, if you know what I mean. I'm just looking after the house and doing stuff....[But] sometimes I get quite angry and think [father's] quite a bully really, you know. ...So I'm tending to compromise more than he does really. (Resident mother)

In the final case, in which the child was having alternate weekends staying contact plus a midweek contact, mother thought contact was upsetting for the child (who had for a period been reluctant to see her father) and therefore believed that contact either once a fortnight or once a month would be preferable:

Because then you've got a month of full stability and what can go wrong in a weekend can be rectified' (Resident mother).

However she felt there was no way she could make changes to the arrangements because it might jeopardise her contact with her other child, who had moved to live with his father.

Perceptions of the other parent's satisfaction

Many parents, both resident and non-resident, indicated that they were satisfied with their current contact arrangements. Apart from the one case in which we interviewed both parents (who both said they were content with the current position) we do not have any direct evidence on how the other parent saw things, but it could well be very different. Certainly there were several cases in which it seemed clear from what the interviewees (who were all resident parents) said that while they might be happy with the arrangements the other person was probably not. This included cases in which the non-resident parent was said to want more contact and cases where, although the non-resident parent may have been content with the regular arrangements, contact did stop periodically (in one case because of the child's reluctance, in the other in response to what mother described as the father's erratic and threatening behaviour).

We did interview quite a number of families where (on the basis of what the interviewed parent told us) the current arrangements seemed to be acceptable to both parents. This was not because the parents had always agreed about what should happen, quite the contrary. Almost all our interviewees in this group indicated disputes along the way and the process of reaching an accommodation could be prolonged and difficult. One interviewee, for instance, who now had his children every weekend, from Friday to Sunday, had originally sought a 50:50 arrangement while the mother held out for alternate weekends. They had eventually agreed on every weekend, from Friday to Monday. Further arguments had ensued when the mother resisted the weekend being shortened by one night (the mother having moved and the children, in his view, now living too far away from their school). Both these disputes were resolved in the context of the father threatening court. The father now said he was quite happy with the arrangements and thought the mother was too - although there were plenty of other points of conflict in their relationship.

At the other end of the spectrum, however, there were just as many families where both parents seemed to be dissatisfied to some extent. In one, for instance, the child was not only refusing staying contact but insisting she would only see her father at home. Since the father and his new partner had extended their house in order to accommodate the child he was, understandably, unhappy with this situation. The mother's complaint, however, was that the father did not come to see the child more frequently or to have more contact with her in other ways. In another, the non-resident father was already unhappy that his contact had been reduced, from two overnights a week to one, while the mother wanted to move to an alternate weekend model. This does not necessarily mean that parents were at loggerheads over the arrangements, or were actively trying to change them. While the current set-up might not be ideal for either, it might be acceptable. One father, for instance, described a long struggle to reach the current position, whereby he saw his child several times a week, had her to stay regularly and was now able to take her on holiday. He would still like more. The mother, on the other hand, was said to think that the father already had an unusually high level of contact and also to resent that she 'gets all the evenings when she's awake and she's sick' while he 'gets all the nice stuff'':

> *Father: She kept saying things like 'you see more of her than... I've known a lot of people split up and they hardly ever see their kids. You see [child] every day'. She thought that that was enough. So when I asked for things like weekends it was like stepping on sacred ground because that was her time. But this constant comparing with other people, other people don't see their kids.... I say 'I don't know those other people, I don't want to know what other people did, I'm just concerned about my relationship with [child]'.*
>
> *Interviewer: So she thought she was being quite generous.*
>
> *She did, yes. I think she sees [child], obviously it's her daughter, but it's almost bordering on this obsession. (Non-resident father)*

In the remaining cases, while the interviewee reported a degree of dissatisfaction, there was no indication that the other parent was discontented. This could simply reflect poor communication between the parents, or mean that the other parent was not actively seeking to change things, rather than genuine satisfaction. There were only a few cases where either our interviewees said, or we felt it was legitimate to infer, that the arrangements were to the other parent's liking - where the non-resident parent told us that the other parent had unilaterally changed the arrangements, for instance. Other cases were more ambiguous.

Children's satisfaction with their contact arrangements

As we shall see in the next chapter, children felt it was very important that they spent time with their non-resident parent. Most of the children we interviewed were happy with their contact arrangements. The only child who was not having any contact was adamant that he did not want any and none of the rest who were having contact wanted it to stop.

When were asked whether there was anything they wanted to change in terms of how much contact they had, children's replies were either no change, or having a little more time together. None of the children said they wanted to have less contact.

I'd just keep it same as it is right now, exactly the same. (Boy, aged 11-13)

Well I'm not completely unhappy and I wouldn't say I'm completely happy. I would like to see my dad a bit more. Like just like another day or that, but we wouldn't have to sleep over. (Girl, aged 8-10)

Other than where children wanted a little more contact, the changes they wanted to make all related to the quality of contact. Only a small number, in fact, mentioned any difficulties unless prompted about specific issues, and none of them thought that the problems that did exist were adequate reasons to cease contact. For one 14-year old boy, who enjoyed going to the cinema and being spoiled by his dad, the worst bit was: 'when we stay in and stuff cos I get I bit bored'.

For a few children it was that parents did not pay them enough attention. For example, this girl described herself as:

Not happy because every Saturday we don't spend a lot of time with him. I always ask every Saturday 'Can we please go out on our bikes?' and he always says 'No'. (Girl, aged 8-10)

Sometimes it was that parents' work got in the way:

Well sometimes he goes to work. I hardly get to see him. (Boy, aged 8-10)

Sometimes it was that contact was shared with a sibling, as one child explained:

Child: Well sometimes he doesn't give me affection and that.

Interviewer: So more cuddles?

Child: Yeah and like spending more time with me. He's spending more time with [sister] all the time. (Boy, aged 11-13)

The most important issue for children, however, related to non-resident parents' new relationships, either in terms of new partners, half-siblings, or step-siblings. We discuss this in detail in chapters 9 and 12.

When asked what her 'ideal' would be, this girl's reply showed she had already given the matter some careful thought.

I would go to my dad's and he would put work aside for at least half of the day. Even if it's not all of the day because I understand that he does have to work. [Father's new partner] would be nice, like a nice person should be. And if she was a little bit mean my dad would immediately see that. He would talk to her and sort it out. It would be OK, I wouldn't have to feel worried about going to my dad's. I wouldn't have to feel upset at all about anything that happens there and I just wouldn't have to speak to my mum about anything and everything would be fine. (Girl, aged 11-13)

Summary

Findings from the national survey

There was a high level of dissatisfaction about contact among non-resident parents. Although the number of non-resident interviewees without contact was small, most were unhappy about their lack of contact, while the majority of those who did have contact wanted more.

Resident parents were typically less discontented, but a fifth of those whose children did not have contact would have liked there to be and where there was contact over a third would have liked more. Only a small proportion (eight per cent of those where there was contact) would have preferred less contact or none at all.

Findings from the in-depth study

Around half the sub-sample of non-resident parents taking part in the in-depth study were dissatisfied with the contact arrangements, typically seeing the resident parent as preventing them achieving the contact they wanted. Resident parents tended to be unhappy about the arrangements as well, and nearly all of those who were dissatisfied said there was too little contact and typically blamed the non-resident parent for this.

The research design did not include interviews with both parents in the same family. Hence we can only be confident about the satisfaction levels of one parent. On the basis of their reports about the views of the other parent, however, it seemed that cases in which both parents were comfortable with the current arrangements were in the minority.

The children interviewed were generally satisfied with their current arrangements although a few would have liked a little more contact. Where children were not entirely happy the issue was often the quality, rather than the quantity of contact.

Chapter 6: Attitudes to contact

This chapter explores the views of parents and children about the value of contact. This was not something we were able to explore in the national (quantitative) survey because of restrictions on the number of questions we could ask. Our findings are therefore based only on the responses of the sub-sample of parents and children interviewed in the in-depth (qualitative) part of the study. They cannot, therefore, be taken as representative of the views of the general population of separating families.

Parental views

Is contact important?

We asked parents whether, in general, they thought contact was important for children.[5] The response was, almost always, an unequivocal 'yes', often expressed in a way that suggested they were surprised that this could even be questioned. Few made any reference to circumstances (such as violence or abuse) in which contact might not be a good thing, although some parents did not feel that there should be an automatic legal right to contact (see Chapter 15). Indeed the interviews overwhelmingly indicated that contact was seen as important even if:

- The non-resident parent was not a good role model or was not fulfilling their responsibilities in terms of contributing to the child's maintenance;
- The child had alternative father/mother figures;
- Contact was sporadic or not of very high quality;
- The parental relationship was strained;
- Life would be easier for the resident parent if there were no contact.

This cannot be taken to show, of course, that the vast majority of the general separating population start from the position that children of separated parents should have contact – although our interviewees had all experienced problems with contact, for nearly all families it was still taking place. Indeed it could well be their commitment to the principle of contact that had enabled them to maintain contact in spite of the difficulties. Nonetheless we were surprised to find such an overwhelming endorsement of the value of contact. Moreover, while some people had particular reasons for wanting to sustain contact – their own childhood experiences of particularly close or broken relationships for instance, or knowledge of the consequences of separation in other families – most did not refer to this. Further, most people said that their views on the importance of contact had not changed over time.

Thus, for at least a sector of the separating population, the importance of both parents remaining in the child's life is a given. Indeed a few talked of this as a right, usually of the child, but occasionally also of the non-resident parent, and felt that the resident parent did not have a right to interfere. Resident parents were just as likely to voice these beliefs as non-resident.

> *I do think it's really important, he's her biological dad.. So I suppose that's it basically. He's the dad and she's got the right and he's got the right, so. And I wouldn't ever stand in the way. (Resident mother)*

> *I don't think it's up to me to say that they shouldn't see him. I don't think I've got that right to stop him seeing them. If they turn round to me and said I don't want to see him then that's fair enough, I wouldn't force them to go. But I do think it's important for them to have a relationship with him. (Resident mother)*

5 Typically, although the question put was general, almost all parents responded with reference to their own children.

I don't think that they benefit very much by seeing him. To be quite honest with you I think they'd be just as happy and we'd get along just as well if they didn't see him, but it's not my place to decide that for them. But I think they will decide that they don't want to go, I think particularly my son will decide that. But I would never ever say to him 'I don't want you to go.' I don't think it's my place to do that. (Resident mother)

Several parents also talked of keeping the options open for children so they could decide in the future:

I think it's important that a child knows, because I feel they could have issues later on in life. Not always but I think there must be some children that might feel a bit, 'well why wasn't I with my dad, or why didn't I see him, why didn't I have the contact'. Whereas you can't go back on that can you, once it's gone. So that's why I feel it's important that they have contact. (Resident mother)

Our [child], when he gets older, if he's had a relationship with his dad, if he decides he doesn't like his dad, he can say I don't want to see you any more, but if he's never had a relationship it would be so hard to build it up. To try and integrate into their life, it's not that easy. It's just easier for him always to have a relationship. (Resident mother)

Some also referred to the danger that if there was no contact, in later life the child might come to blame the resident parent for this:

If she wasn't seeing her dad later she could accuse me of stopping her and saying it was my fault. (Resident mother)

If they've been stopped from seeing one of their parents, as they get older in teenage years they're going to start asking the questions, why? And then they might resent the other parent, you don't know how it's going to affect them long term do you? I believe when they get to a certain age they can make their own choices, 16, 17 whatever, they know their own minds at that age. (Non-resident father)

Interestingly, only one resident parent even acknowledged (and then only when pressed) a theoretical possibility that the child might equally question why contact had not been stopped, reflecting again the ingrained assumption that children benefited from contact:

Interviewer: In different circumstances, or perhaps with a different person, I can see that things you've described to me, a guy who's taking drugs, who drank, who was violent, who'd been in prison, and tried to kidnap your son. They're the sort of things that another person might be saying 'you're not having any contact'.

Mother: I've looked at other people's mistakes and used my own noggin and I've just thought what [child] would want and how he would feel if he had no contact with his dad and how he would feel if he did have contact and it went wrong and which would be the lesser of two evils. (Resident mother)

Why is contact seen as important for children?

Our interviewees put forward many reasons for thinking contact was of actual or potential benefit to children, ranging from simply having a good time to the opportunity to repair damaged relationships. However there were three main themes.

The first was that contact helped to minimise both the immediate and longer term trauma of the separation on the child, by preserving a degree of continuity in the child's life and a sense that the 'family' was still an on-going entity, even though its members were living separately, and reducing the risk that the child would feel abandoned, unloved or even responsible for the breakdown.

Regardless of whether you've split up and gone your own ways, you've got to try and still maintain a family. Bizarre as it is, it's still a family relationship. Although you're not together, I know that's contradictory, you say a family and you think of a family living together. A family can live apart but still be a family, as long as you've got contact with each other. And kids can be, that's my dad, that's my mum, whatever. (Non-resident father)

When they're younger, they don't understand do they, the ins and outs of things. I don't want them to feel rejected, or that he didn't want to see them any more, or they'd done something wrong. (Resident mother)

The second was that children benefit from having input from two adults playing a parental role. This was typically expressed in gendered terms: mothers and fathers offer children different things, whether in terms of interests and activities or more broadly in influence and relationships.

I think they need the influence of both parents, male and female. The influence of both has got to be better for the development of children than just one on their own. (Non-resident father).

[Child]'s getting older and his needs do change, and he needs a father figure. He loves men's company, I can see it with my dad and my brothers. He kind of, he goes to the men's side. Like women will sit around and talk. And I think he needs a man's point of view, not just female all the time. And as [child] becomes a teenager, I want him to feel he can talk to his dad as easy as he can talk to me. I think there is some subjects where he'll prefer to talk to his dad. And sport, he does like sport. I'm not that big on that kind of thing. (Resident mother).

Well I think they get different aspects on life, different views, gives them scope to grow. I think you know, girls need mums because, because well they do girly things don't they, there's things that girls do with their mums that they wouldn't do with their dad. And there's things that boys do with their dads that they wouldn't do with Mum. So where it's possible, obviously sometimes if the partner dies you have to be both really, in a way. Maybe it's an old fashioned value, but I think it's important you have both parents really, in one form or another. (Non-resident father).

It could be argued, of course, that step-parents or other family members can act as father or mother figures and in some instances provide more appropriate role models. Indeed some of our interviewees acknowledged this:

I suppose some people could theorise that they've got another father figure. I think if you asked her she'd say she loved [her stepfather]. I think she sees him as incredibly reliable actually. I think she can see that not all men are unreliable and that her dad is, while she adores him, she knows there are certain issues about his personality that aren't common to all men. And I think that therefore having the two, neither of them are perfect obviously, but I think it's quite a good balance. (Resident mother)

What was evident, however, was that for most people what was important was not just that the child should have both male and female influences, but that this should be provided by their biological parents.

I think it's important to have two parents in a family rather than just the one, I think she needs a father figure and I'd rather it be her dad than some strange man that I don't know whether I'm going to spend the rest of my life. Her dad's always going to be her dad, no matter what. No matter what happens her dad will always be there for her. (Resident mother).

Genetically I think contact with your genetic parent is better because you are connected, they share your genes, they share some of your abilities, and you know what they are and can nurture those abilities better than somebody who's an outsider, or someone who isn't you. (Non-resident father)

This brings us to the third, and undoubtedly dominant, theme which really underpinned most parents' responses - the perceived importance of the 'blood tie'. When asked why they thought contact was important, many people included something on the lines of 'because it's their Mum/Dad'. Indeed some were unable to be any more specific than that, which indicates how much this was essentially a visceral and emotional conviction rather than a rational, carefully thought out position.

I don't have a particularly intellectual answer. Instinctively I just think it's a good idea. You're still part of both of those people aren't you. As a person, as that child, for better or for worse you're part of both of them, not one of them. So I just think it's a good idea. (Non-resident father).

I just want her to have her real dad around. (Resident mother)

Those who were able to expand on this theme typically referred to children needing to know who their 'real' parents were because that was part of their identity:

Kids should know who their dad is. (Non-resident father)

Cos he's her blood I think really. And it's where she's come from and you know, that's part of her family as much as I am. (Resident mother)

What they seemed to have in mind, however, was not 'knowing' in the sense of having information about that person, but actually having an on-going relationship.

I just like the fact that she gets to spend time with him, whether it be once a month, once every few months, as long as she just grows up knowing who her dad is. No matter what he's like, that's still her Dad. And I think that's really important for any child. (Resident mother)

I think it's that sense of knowing who they are and feeling loved by those people who brought them into the world, I just think that's so important. (Resident mother)

For most parents in our study, therefore, the importance of contact flowed naturally from biological parenthood. What was surprisingly absent was the view which some researchers have noted (Smart and Neale, 1999; Buchanan *et al*, 2001) that contact was conditional and had to be earned by demonstrating appropriate parenting behaviour. Indeed, as noted earlier, several parents emphasised the importance of contact even while acknowledging deficiencies in the way the non-resident parent behaved to them and/or the child.

I believe that even if you've been through a horrible time like I have, I've always said to myself it's her dad at the end of the day and it will always stay that way. It's not as if I can swap him in for a newer model. And it's not as if I can chuck her in a bin. You just have to work around it, there's no other way of doing it, you work around it. (Resident mother)

Mother: Whatever he is, he's still their Dad.

Interviewer: What do you think (the child) gets out of seeing him?

Mother: Not a great deal to be honest. I think it is really just, really it's just touching base. To know, I guess. Just to know he's still there, you know. Because he is still her dad and you know, they say you don't know what you've got 'til it's gone, there's just that sort of – I think they've lost the hope that he's ever going to be a decent dad to them, to be honest. (Resident mother)

After everything that [father] did I could have turned out to be quite a bitter person and to be vile, but I didn't want to be like that, I've always tried to put that aside. He's done what's he's done and the way I look at it is he's their dad. (Resident mother)

The value of contact for parents

In giving their views on the value of contact most parents referred solely to the interests of the child. A few, however, sometimes in response to a specific question from the interviewer, also mentioned the benefits to themselves.

Resident parents typically saw the chief benefit to them as providing a very welcome break from the day to day responsibilities of parenting, even if they often expressed guilt at feeling like this:

Partly maybe, it's me being selfish. I also want my own life, so it's quite nice to be single sometimes and then be able to do my own thing. Some of these women who just won't let the children see the dad at all, I think well they've got the children all the time, how do they manage? (Resident mother)

It gives me a weekend off. That sounds awful but I need it. I look forward to the nights when

I don't have to get up in the night, I haven't got to get up to get him ready. I miss him when he's not here. But I do look forward to it, it's a break from routine. I haven't got to do things, it's not 'to do to do to do' and then bed. I can have a drink, go dancing, play [a sport], it's time for me. If I was with [child] all the time, being the child he is and the way I am it would do my nut. Because he's extremely demanding. (Resident mother)

Non-resident parents described a wider range of satisfactions: pleasure in the child's company, being part of their life and watching them develop, being able to 'be a father', being 'there' for the child, having an influence on their development and helping to ensure they had a good start in life.

I think it's cos I get to see him growing and his attitude on things. He makes me laugh. (Non-resident father)

You just want to be a father and you want to be a father to the best of your ability and in practical terms that means spending time. She's mine and I want to mould her and give her everything, like every parent you want to give her every opportunity she's got that maybe I didn't. I think I have a lot of personal attributes that are good. I'm quite unselfish in a lot of things where I think her mum is quite selfish. And I think I have lots of things that I want [child] to have. I can see some of her personality traits already coming out in her from her mum and I think, 'oh, I don't want her to go like that'. It probably sounds a bit extreme to some extent but you'd like to think your child is a mixture of both parents but if you don't spend that time you don't get the opportunity to be a role model or whatever it is. (Non-resident father)

Children's attitudes to contact

For most of the children we interviewed contact was an important part of their everyday lives. Children clearly valued spending time with their non-resident parents. With the exception of one young man who had cut off all contact, all the children thought that contact was either 'very' important or 'quite' important. Perhaps the most emphatic was this ten year old girl:

Child: Yes, I don't mind what day it is as long as I see my dad.

Interviewer: Is that the most important thing?

Child: Yes, really, really important. (Girl, aged 8-10)

This boy's comment was the least enthusiastic of all the children we spoke to, although he still felt that it was important to spend time with his non-resident mother:

Interviewer: Overall how important is it to you to spend time with your mum?

Child: It's quite important. I sometimes miss her. (Boy, 14-17)

When asked what was best about it the most common response was, as one girl put it:

It's just that I get to see my dad and that's good. (Girl, aged 8-10)

There was some consensus also that contact was fun.

Playing games with him. (Boy, aged 8-10)

And, for some of the time at least, it provided a break from the routine.

She takes us out instead of just sitting at home. (Boy, aged 14-17)

Contact was critical for children's ongoing relationships with non-resident parents and they were willing to be flexible to ensure that it was maintained. During contact, though, children wanted to engage in activities they could share with non-resident parents; activities which enabled them to spend 'quality' time together. They regarded 'quality time' as a key to maintaining successful contact and stressed its importance both in helping them develop their relationship with non-resident parents:

The good bit is mum spending time with me, getting to know me better, just stuff like that. I think it's very important because she wants to know what's up with us. She wants to know how we're getting on at school. (Boy, age 14-17)

And, in helping give their relationships a sense of normality.

> *Just being able to be with him like a normal person. Just having that sort of normalness. I think it's quite important because I want to have a close relationship with him. (Girl, aged 14-17)*

Contact was, though, only one part of life and although important to children, to work well it needed it to fit in with the to and fro of their everyday lives. One boy, a keen footballer, illustrates the point:

> *Interviewer: Would you like to spend more time with your dad?*
>
> *Child: Yes.*
>
> *Interviewer: Would that be possible, do you think?*
>
> *Child: Not unless I stopped doing what I'm doing. But I don't want to stop doing it. I want to play football. (Boy, aged 11-13)*

Summary

Findings from the in-depth interviews

Our data on the views of parents and children about the value of contact is based only on the in-depth (qualitative) interviews. It therefore cannot taken as representative of the general population of separating families. Those interviewed were from families where a) a parent had reported experiencing contact problems at some stage and b) in most cases contact was taking place.

The parents interviewed, both resident and non-resident, overwhelmingly endorsed the principle of contact, even in less than ideal circumstances. In explaining why they felt contact to be important for children three main themes were evident.

- First, contact helped to minimise both the immediate and longer-term trauma of parental separation;
- Second, mothers and fathers offer different things to children who need input from both;
- Third, the significance of the blood tie. For most parents the importance of contact flowed naturally from the fact of biological parenthood.

Some parents also mentioned the value of contact to them. For resident parents this was mainly because contact offered a break from the day to day tasks of parenting. Non-resident parents referred to their pleasure in the child's company, being part of their life and watching them develop, being able to be a parent, being 'there' for the child, having an influence on their development and helping to ensure they had a good start in life.

With one exception, all the children thought that contact was either 'very' important or 'quite' important. It was critical to maintaining relationships with their non-resident parent and giving those relationships a sense of normalcy.

Chapter 7: Contact practice

As we reported in the previous chapter, the parents we interviewed in the in-depth part of the research thought contact was important for children. In this chapter, we look at the common themes which emerged when interviewees spoke about their experiences of 'doing contact'. Most parents saw themselves as having done their best to establish and maintain contact, and make it a positive experience for the child. It was striking, however, that while very few were critical of the way they had dealt with contact, almost everyone had some criticism to make of the way the other parent had behaved.

The data about parents' own behaviour is derived entirely from the in-depth interviews. The criticisms about the other parent, however, come from both parts of the study.

Parental accounts of their own behaviour

Resident parents' accounts

Facilitating contact

Research by Trinder and colleagues (Trinder *et al*, 2002) concluded that an important feature of successful contact arrangements was a 'parental bargain' whereby resident parents positively facilitated, rather than simply allowed, contact. Such facilitation was a key theme in our interviews with resident parents, exemplified in a variety of ways:

- Taking the initiative at the outset in getting contact started; giving it a push when it had stalled, encouraging the non-resident parent to have more contact, or to have ad hoc contact in addition to regular arrangements;
- Encouraging the non-resident parent to make contact more interesting for the children;
- Being positive to the child about contact; ensuring they feel able to talk about the other parent; encouraging them when they are reluctant to go; not making it too easy for children to avoid going to contact;
- Mediating between children and their non-resident parent;
- Working on the child's negativity towards the non-resident parent's new partner;
- Providing practical assistance by sharing the costs of transport or contact activities, or accompanying the child and non-resident parent on outings to reassure the child and help with care of a small child.

Flexibility

Resident parents also typically saw themselves as having been flexible about contact arrangements. This included arranging contact to fit in with the other parent's irregular work patterns, changing arrangements to enable contact to take place when it was not scheduled to accommodate special circumstances such as family events and holidays, and agreeing to have the child when the non-resident parent could not manage contact or wanted/needed to do something else. For example:

> *I've always told him that fair enough, I might plan to go out somewhere when he was having [child] and he might turn round and say 'could you have her tonight' and I'll say 'well I had planned something but I don't mind' and he'll turn round and say 'oh no, you carry on and go out' and I'm like 'I don't mind having her'. And any time he's says 'oh I can't do this, I can't have her', I'll have her. I had her last weekend and I might be having her this. And if he wants to phone up during the week and say can I have [child] I'm OK. (Resident mother)*

Preventing personal feelings from affecting contact and/or the child

This was the third major theme in resident parent's descriptions of their approach to contact. The feelings they referred to included:

Feelings of loss at not having the child with them all the time:

> *It's tough, it's really tough. The only time I thought to myself, I now know how people who are depressed feel was when [child] used to go to her dad in the early days, and all I wanted to do was get into a box and put the lid down 'til she came back. All the time you're thinking, got to be strong, got to be strong, she's got to see her Dad. I just didn't want her to go, just wanted her there. (Resident mother)*

Anxieties about how the non-resident parent will care for the child:

> *I found it hard sometimes. To trust him. When she goes off with him, you think, oh my god. In the summer he crashed the car on the motorway, with her in it, and they were taken to hospital. She was perfectly alright. But for weeks after that I was just thinking, oh my god, please, I hope he's not driving, I hope he gets the train. Sheer terror. But then I just think, what will be will be, you can't – he's not the greatest person and it's hard. But I just think, well what happens, happens. (Resident mother)*

Negative feelings about the non-resident parent:

> *You can feel blooming horrible about that person, what they've done to you and one thing and another, but then you have to take a bit of a step back and think, hold on a minute. Which you do. (Resident mother)*

> *For the girls, at first it was purely for them. I mean I'd probably cry every night in the bedroom, but I've never, they've probably thought I've been fine with everything cos I've just kept it all to myself I suppose really. But I never said, never criticised their dad to them at all, never said anything about her at all to them. It was quite hard but I didn't want to place any more pressure on them or upset them any more than, you know, the situation was doing anyway. (Resident mother)*

Disappointment or anger at the other parent's attitude to contact:

> *He'll make arrangements, he gave me a list of dates in the summer, I'll have her, you know, every other weekend and out of all those dates none of them happened. I do kind of say to her, that's not a bad thing, that's just, accept people for what they are. When she does see him it's good and I never say anything against him, I just always say have you had a nice time with your Dad, bet you're really excited about going. (Resident mother)*

As we report in Chapter 9, almost all the parents in this study described relationships which had, at points, been conflicted. It is perhaps, therefore, understandable that while, when asked to offer general advice to other separating parents (see Chapter 16), many said it was important to try and keep the relationship with the other parent civil, few specifically referred to having done this themselves. And typically this was in the context of how difficult it had been to do it, requiring 'silent gnashing of teeth', 'biting your tongue', and 'learning to grin and bear it'.

Similarly, keeping children out of adult conflicts was a key message our interviewees wanted to get over to other parents. But only a few talked about having done this themselves:

> *I've very much a believer in not dragging the children into your arguments, it's something that, although there have been times when I've wanted to say things I've bitten my tongue, you know. (Resident mother)*

> *We had to keep [my daughter] out of it. I did not let her see anything like that. I used to say [to her father], in front of her you smile and you be nice. (Resident mother)*

Only a few resident parents were self-critical about their own behaviour in relation to contact. Thus a couple of mothers said they felt, with hindsight, they had probably been over-protective. One mother said she regretted letting her anger colour the relationship with her ex-partner which had spilled over onto the children; while others admitted letting their feelings get the better of them on occasion and 'badmouthing' the other parent, even though they knew this was the last thing they should be doing:

> *Interviewer: Do you ever get the feeling that Dad is saying unpleasant things about you to them?*

Mother: Um, possibly, yes. And I say unpleasant things about him and I try not to, my daughter gets very upset about it

Interviewer: So she feels that she has to defend him?

Mother: Yes. So she says to me and my son, if you want to talk about Dad do it when I'm not here. And I know that's wrong and I shouldn't do that but sometimes I get frustrated. (Resident mother)

Non-resident parents' accounts

Four major themes emerged from the non-resident parent interviews: ensuring that the child wanted to spend time with them; flexibility; avoiding and managing conflict with the resident parent, and persistence.

Ensuring the child wanted to spend time with them

There were two main strands here. The first was making contact enjoyable for the child:

We do things together. Like last summer we made a go-cart together, out of wood, you know and he's there with the saw. I think he gets a lot out of it cos he does things with me that he wouldn't necessarily do with [his mother]. She's not going to go out and get a lump of wood and make a go cart. Or, we did up an old bike, you know, sprayed it all and got all the brakes working. You know, he quite enjoys doing things like that. Yeah. We do reading together as well and he likes to go on the computer and um, you know, we do a lot. We go swimming together, he likes to go swimming, so we do quite a lot together really. (Non-resident father)

A lot of the time I'll pick their friends up, again I don't want them to come here and think they're isolated from their friends. So if they want to see them, the friends come here, do whatever they do, take them back, sometimes they go there. It's not, 'you're coming to see your dad, stay with your dad, give him all your attention'. They're growing up and if they want to do something with their friends I don't mind that. At the end of the day it's not so much. I don't want to be in their pocket, I don't want them to be in my pocket ... You know, 'dad can [friend] come round, can I visit with [friend]', whatever. Yes of course you can. (Non-resident father)

The second theme, which particularly related to parents of teenagers, was taking the lead from the young person and being prepared to accommodate their other activities and decreasing desire to spend large blocks of time with the parent:

He has the option of coming down when his brother does, or we have met up on some occasions without that. Sometimes he's just turned up and we'll go for a coffee or something together and he'll mooch around the town separately and go home again. As long as he's happy to come and see me I'm happy to see him. I think it will come, he will have other interests and he will want to skip weekends and all the rest of it. It's up to me to engage with him to make sure it doesn't happen. If not, he isn't going to care whether he sees his Dad or not. (Non-resident father)

It's entirely up to them what they want to do. You tend to find they've got other things they want to do. ... What I generally do now is I phone them on the Thursday and say 'look, do you want to come this weekend?' And it's either yes or no, or they'll say, 'well I can't come Friday, Dad.' ... And the oldest's got a job, part time between college. So he's got to fit in with his job and that usually takes up some of the weekend. ... So it's become more of a loose sort of arrangement. (Non-resident father)

Being flexible and making concessions

As can be seen from these last two quotes, parents of older children often found they had to adjust to their need for more flexible contact arrangements. Several non-resident parents also referred to being willing to accommodate the other parent's wishes in relation to contact changes:

We tried to be as flexible as we could with each other, sort of thing. The door is always open to them. [Mother] knows that, she'll phone up on occasion and say '[new partner] and I are

going away for the weekend, can you have [child]? Or can they both come over, or we're going on holiday in August, according to the weekly schedule it would be your week, can we swap it around and are you happy with that', you know. [Mother] tends to phone up more than I phone her from the point of view of, 'well we're doing this so you might not see them then'. I say, 'OK, fine'. (Non-resident father)

Father: If my ex wife wanted me to have the kids, it wasn't much of a problem. If she said, 'do you mind [having them] this weekend, I know it's not your weekend?' That's fine I don't go out every weekend, and even if it's not my weekend to have the kids, I'm still there.

Interviewer: And if, when they were quite little, maybe there was something she wanted to take them to, and it was your turn to have them?

Father: I've never had a problem with that. I'd hate the boys to miss out on an opportunity just cos it was my turn to have them. That's wrong isn't it, you know, that's being selfish.

Interviewer: OK. Would you have swapped it to the next weekend?

Father: We'd come to some arrangement where it sort of balanced itself out. (Non-resident father)

In a few cases, however, it was not so much that non-resident parents were happy to be flexible; rather they felt they were in a position where they had little choice:

[It's] 'I need to get away this weekend, if you don't have the kids then you're not having them again.' That happened to me. What do you do? You just have to capitulate. (Non-resident father)

Interviewer: What about if she needs to change contact?

Father: I tend to comply with whatever she dictates really. (Non-resident father)

Avoiding and managing conflict with the resident parent

Going along with what the resident parent wanted, as in the examples cited above, was one way in which some non-resident parents tried to avoid conflict arising:

I let her call the shots and said 'right, OK, you don't want me to see the kids at home where I am now, or at my father's, or anything like that. Where can I see them?' And I just let her call the shots for a while. So once or twice I went round to my mother in law's house, other times, you know, we met in the local park or I went round to the former marital home. (Non-resident father)

Some non-resident parents said they deliberately tried to avoid doing something which was likely to cause upset - minimising the occasions when they had to change contact arrangements, for example, giving adequate notice, not being late. One father said he had learned never to tell his son when the next contact visit might be, unless he had already cleared it with mother:

He'll say 'well when am I stopping over?' and I have to bite my tongue and say 'well I'll have to speak to Mummy about it'. Because I made the mistake once of mentioning it to him, I said 'oh maybe next weekend'. Well [child] unfortunately takes things literally and then he'll say something to his mum, and then she'll be angry because I haven't mentioned it to her beforehand. (Non-resident father)

Interestingly, given the research findings mentioned earlier (Trinder *et al*, 2002) that one of the factors which made contact 'work' was the non-resident parent accepting his/her contact status, only one of our interviewees specifically referred to this as having helped with contact. Talking about how he and his ex-partner had arrived at their current amicable relationship this father said:

There was a good two or three months before I actually, if you like, got what I wanted in the way of access, but once it started to flow and she could see that I wasn't going to mess her around and try and take the kids away from her, or anything like that. I'd never do that, I wouldn't have gone for custody. (Non-resident father)

Other parents were less successful in preventing conflict arising. For them, as we report in Chapter 9, it was more a matter of trying to prevent confrontations by minimising contact with their ex-partner.

I don't go in the house really any more now, I might go in the vestibule but you know, that's it. (Non-resident father)

Persistence

Almost all the non-resident parents in this sample were having contact with their children despite encountering problems. It is perhaps not surprising then that several highlighted their own persistence in establishing and maintaining contact.

Interviewer: If someone came to you, in your situation, and said, how have you done it, what would you say?

Father: I'd say batten down the hatches mate, because you've got a rough ride, you really have, and don't let anything she says and does upset you. Just ride the storm. I might be wrong but that's what I'm doing.

Interviewer: So just hang in there

Father: Yes, and in time it will all come better. (Non-resident father)

You don't have a great deal of power. You have to accept that really and just try and work with whatever you can, you know, see your kids as much as you can do and you know, just be there for them. It is a question of just sitting there and hanging out, toughing it out and you know, for some people that might be more difficult than others, cos I've had some difficult times. But throughout all the difficult times I've been able to see my kids. (Non-resident father)

It is interesting that the only non-resident parent to offer any criticism about their own behaviour in relation to contact was a father who no longer had contact, who felt he had perhaps given up too early.

The 'other parent's' attitude to contact

In both the national survey and the in-depth interviews both resident and non-resident parents had many criticisms to make about how the other parent went about 'doing contact'.

Findings from the national survey

- Where no contact was taking place 50 per cent of resident parents said this was because of the non-resident parent's lack of commitment (45 per cent), or their choice not to see the child (seven per cent). 21 of non-resident parents without contact said there was no contact because of the resident parent's reluctance to allow it or because the resident parent was not committed to contact.
- Where there was contact, 42 per cent of resident parents said that the non-resident parent was or had been one of the following at some point: unreliable (29 per cent), uncommitted (22 per cent) or inflexible (21 per cent). The most common current problems affecting contact were the non-resident parent's unreliability (eight per cent of all resident parents where there was contact) or lack of commitment (nine per cent).
- 29 per cent of non-resident parents with contact said that the resident parent had at some point been either inflexible (23 per cent); unreliable (14 per cent) or not committed to contact (five per cent). 30 per cent of non-resident parents with contact said the resident parent had been reluctant about contact. The resident parent's reluctance to allow contact was the most common current problem affecting contact cited by non-resident parents (twelve per cent). Twelve per cent of non-resident parents with contact said that the other parent had tried to interfere with contact and 25 per cent that they had felt excluded or pushed out of the child's life.
- Problems with the perceived attitude of the other parent were more likely than any other problem to affect contact.[6] 62 per cent of resident and 85 per cent of non-resident parents who criticised the other parent's attitude said that contact had been affected.

6 Risk estimates are based on fairly small numbers and should be viewed as indicative of risk rather than absolute measures.

Findings from the in-depth interviews

Not unexpectedly, given that our in-depth interview sample was composed entirely of parents who had experienced contact problems, all our interviewees had something critical to say about the other parent's attitude to contact. Indeed some explicitly said that they felt that contact was simply not that important to the other parent. Thus a few resident parents questioned whether their ex-partner was really that interested, or suggested that their interest had been prompted by a grandparent who did not want to lose touch, or by their refusal to accept that the adult relationship had ended. Similarly some non-resident parents doubted whether their ex-partner really thought that contact was of value to the child.

For the most part, however, our interviewees did not go so far as saying that the other parent thought that contact was not very important. It was more common for them to complain that their ex-partner did not demonstrate enough commitment to contact in practice:

> *Interviewer: Do you think it's important to [father] to see her?*
>
> *Mother: [Pause]. Talk-wise, yes. Oh he'd tell everybody how much he needs his daughter and how she means the world to him and everything else. But when it comes to the side of her being upset, cos I have phoned him in the past and said, listen to the state of your daughter.*
>
> *Interviewer: Because he hadn't turned up?*
>
> *Mother: Yeah. All these men who fight for the right to see their kids, and then you've got those that are handed it on a plate and they don't bother, I find that soul-destroying at times. (Resident mother)*

> *I think she mouths the words and talks the talk but doesn't walk the walk. (Non-resident father)*

For resident parents the other partner's lack of commitment was particularly reflected in the other parent's unreliability, which we look at in detail in Chapter 9, or in them not having as much contact as the resident parent thought was necessary or was willing to offer (dealt with in Chapter 5). They were also critical of non-resident parents who prioritised their work, other interests or new partners and children above contact, or who left the children with others when they should have been in their care.

Non-resident parents who felt their ex-partner lacked commitment typically referred to the other parent's perceived reluctance around contact, usually demonstrated by restricting the amount or type of contact or just 'being awkward'. We examine these issues in more detail in Chapter 9.

The other parent's lack of flexibility was somewhat less of an issue for the parents we interviewed in the in-depth interviews than it had been in the national survey. However it was raised by some resident and non-resident parents:

> *I'd just like him to be a bit more flexible. I often have friends down who've got children and I want [child] around. And I just wish sometimes, but that's wanting a change of personality really. But I just wish sometimes that he'd say oh yeah, fine, that's fine. That'd be good. Instead of always making it a problem really. And also making me a bit fearful of even asking him, you know. (Resident mother)*

Some parents also complained that the other parent expected them to be flexible but did not show similar consideration. One father, for instance, had a very irregular work pattern, so it was difficult for him to make regular contact arrangements. His ex-wife said she tried to accommodate this but felt he did not reciprocate by respecting arrangements she had made. Similarly a non-resident father felt that he was the one who always gave way:

> *It is very annoying. Every time he comes it's like 'when are you having the kids', it's always having to ask him and he's always sort of saying it's up to him whether he can find the details to decide whether he's having them this weekend or not. Then at the last, so if you actually plan something, he then suddenly says 'oh I can have them this weekend', he wants them, he demands them. And I sort of sit there saying 'but we've already planned to do something'. And he'll say well you'll have to break it cos I've got priority for having the kids. (Resident mother)*

It always tends to be, because her family and friends are all up here, it's always her family parties, her relatives, her friends, who've got something on and I've got to step down. And if I ever say 'yes, that's fine, but what about a bit of give and take, when do you give it back to me', it'll be, 'oh, we're not getting back into that situation are we'. I remember one of her quotes, 'it's all about give and take' and I said 'you've just hit the nail on the head, it's all about give and take but for you it's all take, take, take and for me it's give, give, give'. (Non-resident father)

A particular bone of contention for some resident mothers was the father's assumption that if he was unable to have the child for a scheduled visit, for any reason, the mother would be able and willing to look after the children, even if she had been given little notice:

He changes the goalposts all the time, he will give me very short notice of if he's not having [the child] at the weekend. Assuming that whatever I am doing I will stop. (Resident mother)

It really annoys me, when you plan for him to have the kids. He might ring up the night before and say oh I can't have them now. And I'll say, oh, but I've got things planned. (Resident mother)

For their part, some non-resident fathers were critical that their ex-partners had not been at all understanding of their position when they had been unable to have the children. Two fathers, for instance, reported rows because the demands of their jobs interfered with the contact arrangements:

The engineering department was me. So if [a piece of machinery] went down, and unfortunately this did happen on a couple of occasions, on the night before I was due to have a day off and see my children, then my day off was spent fixing [it]. I tried my very best to let them have as much notice as possible, but because of that [mother said] I wasn't holding up my end of the bargain. OK, I can see her point of view, but she was being rather hard-hearted about it. (Non-resident father)

The last one she went ballistic over was because I started working compulsory weekends. Because I've changed jobs now and they enforced one in three, or one in four compulsory weekends. That were the last one she tried to argue over. (Non-resident father)

One non-resident father said he felt his ex-partner was making a convenience of him, while one resident mother said that father had accused her of doing this:

My wife wanted me to have the kids every weekend, Friday through to Sunday night. OK, I wasn't in a relationship, and so I had nowhere else to go at weekends, sort of thing. So it suited. But then again you know, in all honesty that wasn't being fair to me but it was being fair to my ex-wife because it meant that basically for every weekend, come Friday when she finished work, she had a complete child free weekend lifestyle. Which was great, you know, I mean I was the built in babysitter. (Non-resident father)

The other parent's unwillingness to discuss or negotiate around contact irked some parents. One resident parent described how her ex-partner not only insisted on what the regular contact arrangements should be, as described in Chapter 4, but also demanded that his time with the children be prioritised in other ways:

He's a funny bugger actually his dad, it was like, 'I want this I want that', and it's like, 'well can we not come to some agreement'. It's like, 'no, I want this I want that'. He used to come on a Wednesday and just come and see them for an hour, but that's all of a sudden stopped which I'm quite pleased about really, cos it was just, he'd come when we were sat down eating dinner, and it was like, 'no, their dinner can wait, I want to see them'. 'Well I want them to get their dinner over and done with, and I want to get them ready for bed, and I want them to do their homework'. And it was like, 'no, I take priority'. (Resident mother)

Conversely, some non-resident parents felt that the resident parent was very much in control, not just over what the arrangements were for contact but sometimes the details of what happened:

Father: She's very much micro managing. Whenever there was contact it was like, 'I want to control it as much as possible so that you do everything exactly how I say that you do it, you won't take her to these places and don't give her this to eat, don't do this, don't do that'.

Interviewer: Do you think that's because she wants kind of consistency or because she just thinks that her way is the right way and there are no other right ways?

Father: I think it's a bit of both to be honest with you. (Non-resident father).

Like this father, non-resident parents sometimes explicitly acknowledged that the resident parent's behaviour might reflect genuine concerns for the child. But some also felt that it spilled over into over-protectiveness. One father, for instance, said he had had a great deal of difficulty persuading mother to 'allow' overnight contact, which he had only managed with the aid of mediation:

I don't know what she thought was going to happen if [child] stayed overnight, if she was going to miss her mummy. It's bringing her from her extreme obsessive, motherly attitude, bringing it slightly back into more of the centre view, with the aid of a third party. (Non-resident father)

Finally, of course, some parents had concerns over their child's care when with the other parent. These issues are discussed in detail in Chapter 10.

Summary

This chapter has reported what parents had to say about their experiences of 'doing contact'. Most parents interviewed in the in-depth study saw themselves as having done their best to establish and maintain contact, and make it a positive experience for the child.

Resident parents described themselves trying to facilitate contact in a range of ways: encouraging the non-resident parent to have contact (or more contact), or to make it interesting for the child; being positive to the child about contact; mediating between the child and the other parent; providing practical assistance. They also saw themselves as having been flexible about contact arrangements and working hard to prevent their personal feelings affecting contact and/or the child.

Four themes emerged from the accounts of non-resident parents. First, ensuring that the child wanted to spend time with them, by making contact enjoyable and being prepared to accommodate their other activities. Second, being flexible and making concessions. Third, avoiding and managing contact with the resident parent, and fourth, being persistent in establishing and maintaining contact.

Few of the parents interviewed were at all critical of their own behaviour with regard to contact. However in both the national survey and the in-depth interviews they had many criticisms to offer of the behaviour of the other parent. Thus in the national survey:

- Where no contact was taking place, 54 per cent of resident, and 21 per cent of non-resident parents blamed the other parent.
- Where there was contact 42 per cent of resident and 29 per cent of non-resident parents said the other parent had been unreliable, uncommitted or inflexible.
- Problems with the perceived attitude of the other parent were more likely than any other problem to affect contact.

Every single person taking part in the in-depth interviews had something critical to say about the attitude of the other parent. While a few thought that contact was simply not important to the other person the criticism was more likely to be that they did not demonstrate enough commitment to contact in practice. For resident parents this was demonstrated by the other parents' unreliability, not seeing enough of the child or not prioritising contact. For non-resident parents it was the resident parent's attempts to limit contact or awkwardness about contact. Other issues were the other person's unwillingness to be flexible, a reluctance to discuss or negotiate around contact, and issues of control.

Chapter 8: Contact problems: findings from the national survey

One of the key aims of this research was to look at the problems reported by the general population of separated parents. In subsequent chapters we explore this issue in depth, using our qualitative interviews with parents and children. This chapter reports the findings from the national (quantitative) survey.

What proportion of separating families experience problems?

Key finding: The majority of separating parents are likely to experience problems with the potential to affect contact, and in a substantial proportion contact is affected or stopped, even if only for a period.

The national survey found that problems with the potential to affect contact are widespread among separated parents, whether or not they have used the family courts. Even where contact was still taking place, most parents reported experiencing at least one problem with the potential to affect contact, and just over half of both resident and non-resident parents said that problems had affected contact at some point.

Where contact was ongoing, only 29 per cent of resident and 32 per cent of non-resident parents said they had not experienced any problems. And if one assumes that where there had been contact but this had ceased, then termination will have been caused by a problem, the proportion of parents who did not experience any problems decreases further to 26 per cent of resident and 30 per cent of non-resident parents. Some parents find post-separation relationships reasonably straightforward, but these seem to be in the minority.

Where there are problems, it is very likely that one or more of the difficulties will affect the child's contact. 51 per cent of resident and 53 per cent of non-resident parents whose child had ever had contact said that problems had affected contact at some point (this includes some families where there had once been contact, but there had been none for the last year or more). And over a quarter of each type of parent where there had ever been any contact said that contact had stopped or been suspended because of problems (28 per cent of resident and 27 per cent of non-resident parents).

We were also interested in how many parents said that contact was affected by problems at the moment. Looking at the parents whose child usually had contact, 23 per cent of resident and 31 per cent of non-resident parents said that something was affecting contact at the moment, or even causing it to be suspended (six per cent of resident and eight per cent of non-resident parents with contact said it was suspended at present).

One of the limitations of the national survey was that, while we asked parents whether contact had been, or was being, affected by problems, we were not able to explore what parents understood by 'affected'. It could mean that contact took place as normal but that it was more fraught or difficult, or that the frequency or duration of contact changed. It could also mean that contact changed in some more qualitative way – perhaps activities or location altered or it became more or less beneficial for the child or the parent. However, we have assumed that if a problem has affected contact, it is likely to have been a negative effect.

Using data based on data from resident parents only[7] we examined the factors which were independently associated with contact problems once other factors were taken into account. We found that the nature of the current relationship between parents was very strongly associated with whether or not there had been any contact problems. (In Chapter 3 we noted that this was also strongly associated with whether contact took place at all, and its frequency). Resident parents who said their relationship with their ex-partner was

7 Our regression model did not include non-resident parents for two main reasons: because there were fewer of them and because including them would have reduced the number of other factors we were able to take into account. Please see the full report of the national survey for details.

hostile were much more likely to report that there had been at least one problem since separation, and 'friendly' parents were much less likely to report problems (compared with those parents who said their relationship was currently neutral). Parents who had been separated for at least six years were also more likely to report problems, as were those who were not in work at present. Interestingly, those parents who had not been married to nor cohabited with the child's other parent were less likely to report problems than those parents who had been married.

Common problems reported by parents in the national survey

Key finding: Although parents experience a wide range of problems with the potential to affect contact, the most frequently-reported problems are very similar for both resident and non-resident parents. These are: arguments around child support, bad feeling, the other parent's inflexibility, reluctance, unreliability or lack of commitment to contact, and concerns about the child's welfare or the parent's own safety.

The national survey asked parents about problems they had experienced since separation, and included past as well as current problems. Among resident parents whose child usually had contact, the most common problems were:

- disputes around child support (41 per cent; seven per cent said this had affected contact at some point),
- bad feeling (30 per cent; 12 per cent said it had affected contact), and
- the other parent's inflexibility, unreliability or lack of commitment (42 per cent; 25 per cent said it had affected contact),
- concerns about the child's welfare or the parent's own safety (29 per cent; 14 per cent said it had affected contact).

Among non-resident parents who usually had contact, the responses were similar in some ways - the most common issues reported were:

- disputes around child support (34 per cent; 13 per cent said it had affected contact),
- the other parent's reluctance to allow contact (30 per cent; 26 per cent said it had affected contact), and
- the other parent's inflexibility, unreliability, or lack of commitment (29 per cent; 18 per cent said it had affected contact),
- concerns about the child's welfare or their own safety (24 per cent, ten per cent said it had affected contact).

The first two columns in table 8.1 present more information about the concerns parents expressed.

Table 8.1: Problems experienced by parents whose child has contact at present

	A current or past problem (per cent)		A current or past problem which has affected or suspended contact (per cent)	
	Resident parent report	Non-resident parent report	Resident parent report	Non-resident parent report
Welfare and safety concerns				
I have had concerns about the other parent's care or treatment of the child	20	23	10	9
The other parent has said they are concerned about my care or treatment of the child	5	6	2	2
I have had concerns about my own safety	10	3	6	1
The other parent has said they are concerned about their own safety	-	0	-	0
I am worried the other parent will not return the child	12	-	5	-
Any concern about own safety or other parent's care	29	24	14	10
Commitment and flexibility				
The other parent is not committed enough to contact with our child	22	5	15	2
The other parent has been inflexible about contact arrangements	21	23	11	15
The other parent has been unreliable about contact arrangements	29	14	17	10
Other parent has been uncommitted, inflexible, or unreliable	42	29	25	18
I have been reluctant to let my child see the other parent	21	-	11	-
The other parent has been reluctant to let me see the child	-	30	-	26
The other parent thought it would be better if they didn't see the child	8	-	5	-
I thought it was better if I didn't see the child	-	5	-	2
I have been unable to keep to agreed arrangements	2	4	1	2
Difficulties around control				
I have felt excluded or pushed out of my child's life	-	25	-	17
The other parent says they feel excluded or pushed out of my child's life	4	-	1	-
I feel the other parent is trying to interfere in our lives	10	-	4	-
The other parent tries to interfere with contact	-	12	-	9
Other difficulties				
Disputes about child support payments	41	34	7	13
Serious disagreements about how to bring up the child	17	17	6	7
Bad feeling between us	30	27	12	17
Child has been reluctant to see the other parent / to see me	26	3	13	3
Difficulties with my new partner or the other parent's new partner	14	11	7	5
Other problem	23	31	6	4
Any problem	71	68	-	-
No problems	29	32	-	-
Contact has been affected by at least one problem	-	-	42 *	45 *
Contact unaffected by any problems	-	-	58 *	55 *
Unweighted base	257	143	257	143
Unweighted base for 'Other problem' and 'No problems' [8]	225	112	-	-
Unweighted base for 'Contact has been affected by at least one problem' and 'Contact unaffected by problems'	-	-	224	107

Base: all parents with current contact. July 2006 data excluded for 'contact has ever been affected or suspended by any problem' as parents in July were not asked whether any other problems had affected contact. Problems and their effects could be current or in the past. Percentages sum to more than 100 per cent as parents could choose all the options which applied.

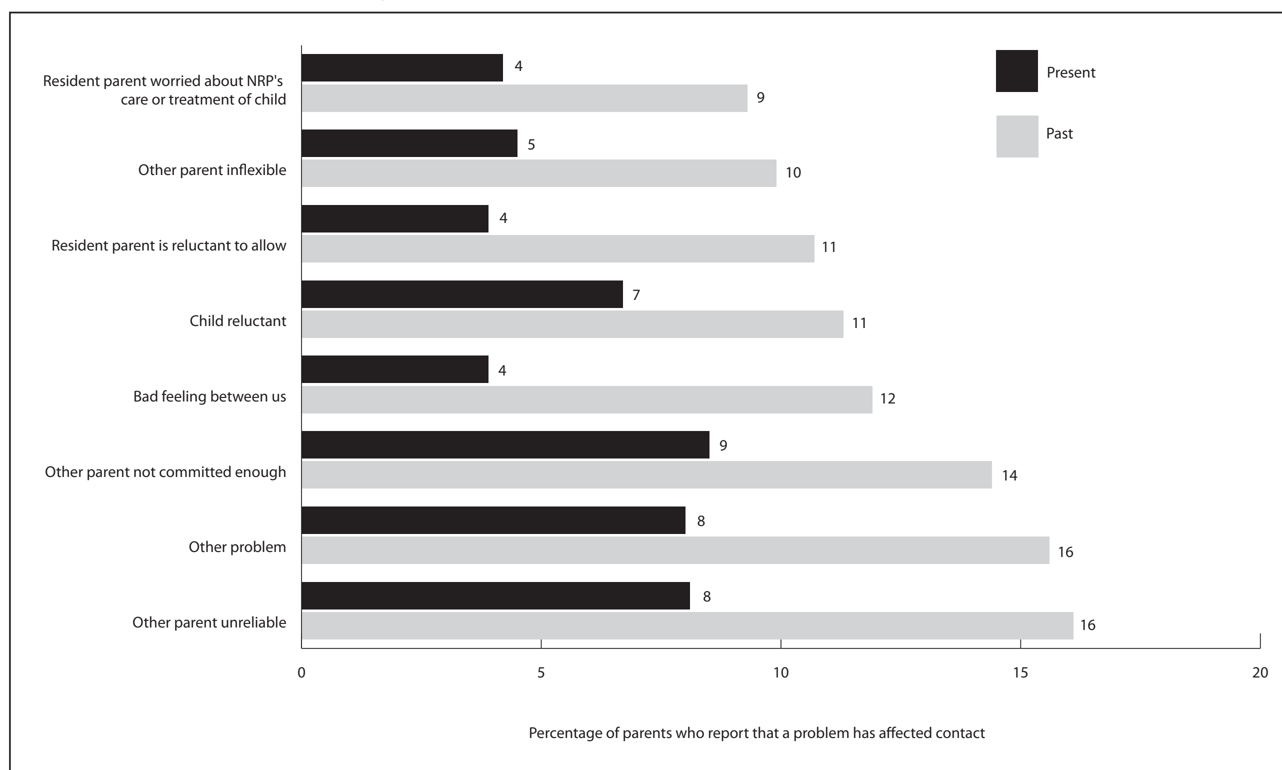
* Please note that the figures given here are for parents who have contact at present. 42 per cent of resident parents and 45 per cent of non-resident parents with contact at present have had problems which affected contact. However, including all parents where there once had been contact, whether this had ceased or not, 49 per cent of resident and 47 per cent of non-resident parents have had problems affecting contact.

8 In the first wave of the questionnaire, parents were not asked whether there had been any other problems which affected contact, and so for these parents we are unable to be confident that there were no problems at all, or that there were no 'other' problems. The base for these figures excludes the first wave (July 2006) is therefore slightly different.

Parents were asked whether each problem they had identified had actually affected the child's contact with their non-resident parent. It was clear that certain problems were more likely to have an effect than others. The last two columns of table 8.1 show how many parents reported that contact had actually been affected or stopped by each problem (these are families where contact was usually happening at the time of the survey). Comparison of the pairs of columns shows that the most common problems are not always the ones that are most likely to actually have an impact on contact.

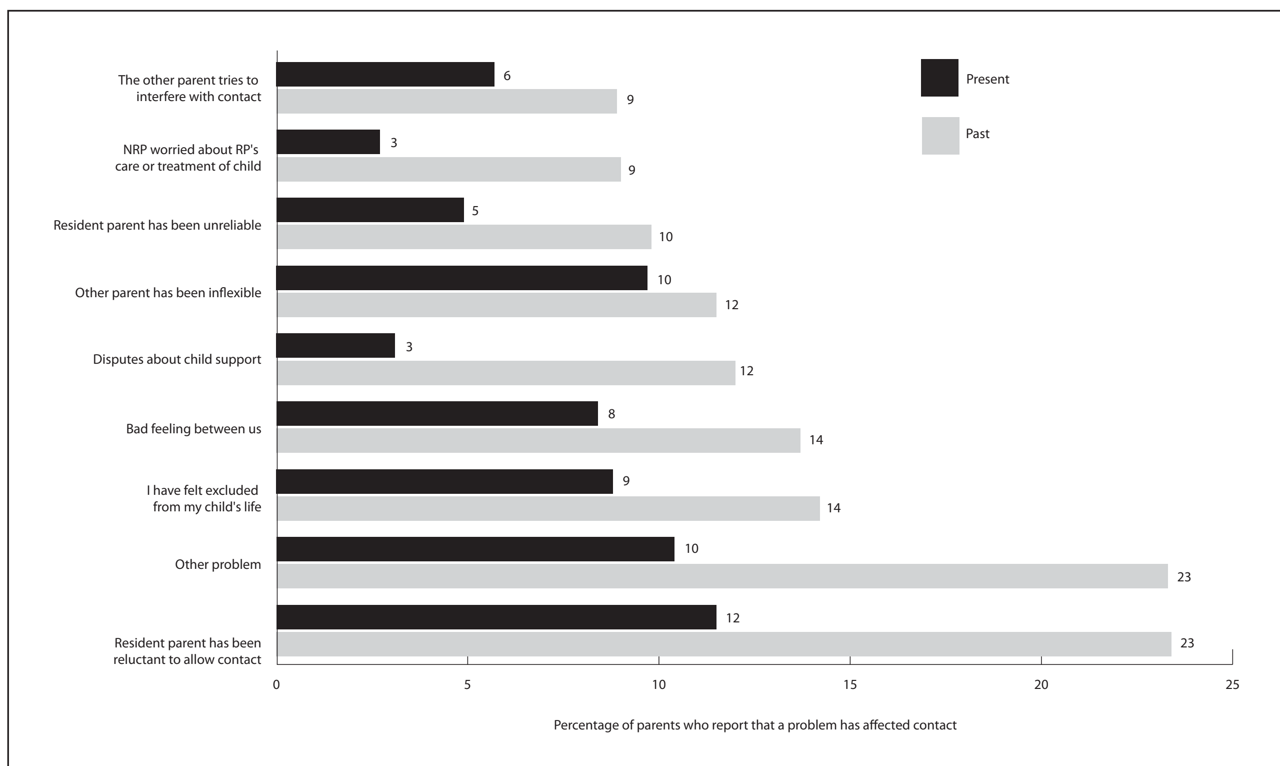
Figures 8.1 and 8.2 distinguish between the main problems affecting contact at present, and the problems that have affected children's contact in the past. It can be seen that problems are more likely to have had an impact in the past than at the time of the survey. However, the main problems most likely to affect contact are the same in the past as at the time of the survey. For resident parents, these are: the non-resident parent's lack of commitment, inflexibility and unreliability around contact, the child's reluctance, welfare concerns, bad feeling, and the resident parent's own reluctance around contact. For non-resident parents, they are: the resident parent's reluctance to allow contact, the other parent's inflexibility and unreliability, feelings of exclusion, bad feeling, and the other parent interfering with contact (the proportions of parents reporting effects on contact are displayed below). Disputes about child support were quite high up the list of problems that had affected non-resident parents' contact in the past, but were not as influential at the time of the survey.

Figure 8.1 Problems affecting contact in the past and in the present, according to resident parents.



Base: all resident parents whose child has contact. Graph shows the eight problems most likely to have affected contact, according to resident parents.

Figure 8.2: Problems affecting contact in the past and in the present, according to non-resident parents



Base: all non-resident parents whose child has contact. Graph shows the nine problems most likely to have affected contact, according to non-resident parents.

Resolution of problems

Key finding: In the families that are having contact, many problems which have affected contact in the past are no longer doing so in the present. Where a problem is no longer affecting contact this is most likely to be because the problem has gone away. In some instances, however, it is still a problem but not having an impact on contact any more.

For every common problem that had affected contact in the past there was around a 50 per cent chance, or better, that it would no longer be doing so in the present, on both resident and non-resident parents' report. There is more detail on the 'resolution chances' of common problems in the full report of the national survey (Peacey and Hunt 2008).

Where past problems had been resolved, it was more likely to be because the problem was no longer an issue, than because it was still an issue but one that was not affecting contact any more. The most notable exception to this was the child's reluctance, which was less likely to go away. Of the resident parents who said the child's reluctance had affected contact in the past, 30 per cent said that this was no longer a problem, but almost as many (28 per cent) said it was still an issue although it did not affect contact any more.

Summary

Findings from the national survey

The national survey found that problems with the potential to affect contact are widespread among separated parents, whether or not they have used the family courts. In families where the child had had at least some contact after separation, half the parents said that

problems had affected contact at some point (51 per cent of resident and 53 per cent of non-resident parents). Over a quarter of the parents where there had been some contact after separation said that contact had been suspended, or had stopped altogether, because of problems (28 per cent of resident and 27 per cent of non-resident parents).

Among the families where the child was still having contact by the time of the survey, a large minority of parents said that the contact was currently affected by a problem (23 per cent of resident and 31 per cent of non-resident parents) and more said that it had been affected at some point (42 per cent of resident and 45 per cent of non-resident parents).

In a regression analysis of data from resident parents whose child was still having contact, the parental relationship was strongly linked to the report of problems – resident parents who said their relationship with the other parent was hostile were much more likely to say there had been a problem. So were parents who had been separated for over five years. Ex-married parents did not have an advantage when it came to experiencing problems and in fact those parents who had not lived together at all were less likely to report problems than ex-married parents.

Where the child was having contact at the time of the survey, the most frequently reported problems were similar for both types of parent: arguments around child support (41 per cent of resident, 34 per cent of non-resident parents), bad feeling (30 per cent resident, 27 per cent non-resident), the other parent's inflexibility, unreliability or lack of commitment (42 per cent resident, 29 per cent non-resident), and concerns about the child's welfare or the respondent's own safety (29 per cent resident, 24 per cent non-resident). Nearly a third (30 per cent) of non-resident parents thought that the resident parent had been reluctant to allow contact (21 per cent of resident parents said this had been the case).

The existence of problems does not mean that contact was automatically affected, and certain problems were more likely than others to have an effect on contact. For resident parents, the problems most likely to affect contact were the non-resident parent's lack of commitment, inflexibility and unreliability around contact (25 per cent said this had affected contact at some point), the child's reluctance (13 per cent), welfare concerns (14 per cent), bad feeling (twelve per cent), and the resident parent's own reluctance around contact (eleven per cent). For non-resident parents, the problems most likely to affect contact were the resident parent's reluctance to allow contact (26 per cent said this had affected contact at some point), the other parent's inflexibility and unreliability or lack of commitment (18 per cent), feelings of exclusion (17 per cent), and bad feeling (17 per cent)..

Where a common problem affected contact there was at least a 50 per cent chance that it would no longer be influential by the time of interview. In most cases contact was not affected because the problem was no longer an issue, but in some cases the problem was still current but had stopped affecting contact.

Chapter 9: Contact problems: parental perspectives from the in-depth study

In the previous chapter we reported the data from our national survey on the incidence and nature of contact problems in the separated population. This revealed that problematic contact is by no means a universal experience. Nonetheless the majority of families experience difficulties with the potential to affect contact (less than a third of parents said they had not experienced at least one) and in around a half these problems had affected contact at some point.

While the national survey provides an excellent overview of the types of problem that separated parents encounter, and the impact the problems have on contact, it could not provide insight into the experience of these difficulties. Our in-depth interviews with a sub-sample of families who had experienced contact problems allow much greater exploration of the issues.

Since we were not able to select our in-depth interview sample on the basis of which problems they had experienced (see Chapter 2) we cannot claim that it is representative of parents who reported problems. However, as table A3 shows, (see Appendix) analysis indicates that the sample did capture the broad range of problems reported.

This chapter explores a number of the more commonly reported problems: non-resident parent unreliability; resident parent reluctance around contact; 'bad-mouthing', bad feeling and conflict; handover difficulties, child reluctance and parental re-partnering. Welfare and safety concerns, co-parenting and money issues are dealt with in separate chapters. Where possible we include material on how parents thought the problems had affected their children, both in the short and longer term. Data from the children themselves on contact problems are examined in a separate chapter.

It has to be said that many parents seemed a little reluctant to discuss the effects of problems on their children, sometimes saying that the children were too young to have been affected, sometimes giving rather brief answers or avoiding the question. We are not really able to say whether this is because parents managed, by and large, to keep difficulties from affecting children, or whether they felt uncomfortable confronting and discussing the effect of separation, and post-separation problems, on their children. They may even have been unaware of some of the effects on their children – as we shall see when we report what the children had to say.

It was also often difficult to draw strong connections between a problem and the effect on children. Where parents did talk about their children's problems it could be hard to determine whether they were caused by the separation, by problematic contact, or by something else entirely, a point which a couple of parents recognised:

> *Interviewer: OK. You were saying that [the child]'s having some trouble at school. Do you think his relationship with his dad is related to that at all?*
>
> *Mother: I did use to think that, but I don't know. From what the school's said, he's sort of, the last year he's got in with a group of boys, and like, he's led a lot. ... But this last year at school has been terrible. And I would have thought that if it was to do with his dad it would have been the first couple of years, but it's not, I think it's just being a teenager and he thinks he's the big I-Am. That's [my son]. (Resident mother)*

Parental unreliability

The unreliability of the non-resident parent was a common theme among resident parents who were interviewed in depth. Most resident parents said this had been an issue at some point and some non-resident parents said they had been accused of it. The complaints took a variety of forms: turning up late or not at all; returning the child late, early, or not being there when the resident parent called to collect; short notice or last minute cancellations; promising to see the children soon and then not following through; promising to have the children in the holidays and then cancelling. Parents were particularly cross when they felt there was no good reason for the non-resident parent's behaviour or they were putting their own needs first:

> *He was [always] the most unreliable person. And a workaholic, that always came first. So I know what was happening, he'd be stuck on the phone or on the computer, or going somewhere, and he'd intend to get there but he wouldn't. (Resident mother)*

> *Interviewer: When he wasn't turning up, or doing it when he wanted to, what was all that about?*
>
> *Mother: A lot of it was if the football was on, or he'd be out with his friends. Stupid things like that. He'd be, I'm watching the football, can I pick them up at nine and I'm saying nine is too late, the littlest was in bed at six, she needs her sleep. And in the end I did start getting angry – 'I'm with them 365 days a year, and I have to sacrifice and I have to change things so you've got to start doing it, it's just one night'. (Resident mother)*

Resident parents mainly couched their concerns about unreliability in terms of the impact on their children (see below). However it also clearly affected them, both practically and emotionally. Thus interviewees described how they either felt they could not make plans for themselves on a regular basis or had those plans disrupted:

> *Once I booked this holiday to go away thinking 'oh yeah I haven't got the kids', and then he rang up and said, 'oh I can't get back in time now [from working abroad], you're going to have to have the kids. For like a couple more days'. I said 'but I've booked this flight and everything'. And he said, 'oh well you shouldn't have booked it cos you know I can't be relied upon'. And I'd think, grrr. So I had to cancel. (Resident mother)*

Parents found it distressing dealing with a child who was upset because of the non-resident parent's unreliability. Some also felt personally responsible for letting the child down or worried that it would affect their own relationship with the child:

> *When you're the one there, trying to console them, and you can't give them the answers they need, cos there isn't the answers. (Resident mother)*

> *He will make an arrangement and I'll say 'ooh I'll tell the girls', so I say, 'your dad says he'll come over Saturday afternoon', whatever, and then he'll let them down, and I feel like I'm the one that's letting them down, you know. If I've got to turn around and say 'oh your dad can't come now'. (Resident mother)*

> *I'd feel like I'd lied to her, and from a small child's eyes they'd be thinking, 'well Mummy has said that this is going to happen and it hasn't happened.' (Resident mother)*

The perceived impact of unreliability on children

Emotional distress

Unsurprisingly, most resident parents felt that their child(ren) got upset when they were let down by their contact parent (in the only exception the child had Asperger's syndrome, which the mother felt explained her lack of emotional affect). Although any last-minute cancellations or lateness were perceived as upsetting, the children who were described as most distressed were those where the contact parent failed to show up at all with no explanation or warning:

Mother: I'd say she were about three, and he'd arranged to come and see her I think it were a Saturday at 12 o'clock. She were ready, her hair were done nice, she had a posh frock on.

Interviewer: And she knew her Dad was coming?

Mother: Yeah. And she sat at the window, all day. And he never came ... And I tried and tried to get her to come away from the window, you know, and she were just screaming at me. And it were awful, it were awful. (Resident mother)

[My daughter's] school play, for example, I work four days a week and I just couldn't get the time off because it was so near Christmas. And he promised, he swore that he could be going in because he was on nights and he said 'I'll stay up and I'll go'. And then she came out of school on the night saying 'Daddy wasn't there' and how upset she was. (Resident mother)

Effect on behaviour

Some resident parents also thought the other parent's unreliability had affected their children's behaviour. Two thought the child had become more 'clingy' while three described children becoming more aggressive or hostile towards their peers or members of the family.

I think, yeah, in fact one of the things that I remember the most about when she knew Dad was moving out, she said something to me about, 'you're not going to move out too are you?' So she had this feeling that she might be left all on her own. So I think the more he was unreliable the more that exacerbated that thought with her. You know, I'd try and drop her off at school and she'd cling on, I used to have to peel her off. And she wouldn't go and stay with other kids, sleepovers, she was very late starting the sleepovers, the others were doing it when they were five and six and she just absolutely wouldn't. In fact the one time she did she threw up in the middle of the night and had to come home. And I think it was just stress, I think she was very stressed by it. (Resident mother)

[My son] has a few problems at school with his anger. He's a big child, he is tall, and he's quite mature for his age in a lot of ways, but he is quite emotional as well,... He was getting very very angry and he was upset all the time. We have the conversations saying 'what's really hurting you', and he's going, 'me dad, not seeing me dad'. I says, 'well you can't take it out on the school and you can't take it out on your mum'. (Resident mother)

Effect on the relationship with the contact parent

In several cases, resident parents commented that, after a while, their children started to expect that their non-resident parent would be unreliable about contact. While this sounds rather sad, it was probably a realistic assessment of the contact situation. The realisation that parents can be fallible and less than perfect perhaps came quite early for these children:

I think now as [child] is getting older she is actually realising that he is full of promises but nothing ever actually materialises. (Resident mother)

But, she's wise to it now, she thinks, 'Dad's been the last three Saturdays, he's due to miss one'. So if her friends ring up and say, 'do you want to go shopping on Saturday', she'll say 'well what should I do?' I'll say 'well it's up to you'. She'll say, 'well he's been the last three Saturdays so he must be due a miss this week.' (Resident mother)

As well as learning to expect disappointment around contact, many of these children were said to downplay or rationalise their contact parent's behaviour. (This was even more evident when comparing parents' and children's interviews, see Chapter 12).

Mother: Yes, she's very very defensive over him.

Interviewer: And how does that express itself, how do you mean?

Mother: Well like I said the other week when he [rang to say] 'I'll pop up and see you on the way to the pub; I forgot'. And she came off the phone and she said 'I know it's not his fault, he forgot.' (Resident mother)

Explaining contact failures probably helped children to maintain a positive image of their non-resident parent. Nonetheless, unreliability could erode some of the trust between parent and child, affect the quality of the relationship, and even cause it to founder. Although contact was continuing in nearly all the families we interviewed in depth, one mother told us about her older children who had eventually given up on their father, only getting back in touch when they were young adults:

They did lose contact with him for quite some time but they made their own minds up about that because he did use to let them down: he'd say he'd come and pick them up at weekends and then he wouldn't turn up. So there was quite a lot of letdowns. Then as they got older they decided they didn't want to go. I was having them ready and they were having to sit and wait. So it fizzled out for a while but they are back in touch with him again. (Resident mother)

Tackling the problem

Resident parents reported adopting a range of strategies in response to unreliability. Although calm discussions with the other parent were not usually one of them, one set of parents had managed to do this:

I said to him we had to talk about things because he kept messing me around with the nights and [the children] didn't know where they stood. He'd be picking up two hours late. There was a lot of arguing going on and we both got to the point where we said we have got to seriously stop this and sort something out for definite. And it went on from there. (Resident mother)

Most resident parents reported more acrimonious exchanges, while a few had threatened to stop contact, to go back to the solicitor to have the arrangements reviewed, or warned that the child might lose interest if this went on.

I did tell him once that he can't keep letting her down like that, there might come a time when she turns round and says 'I don't want to see you'.(Resident mother)

He'd text or he'd phone me on the mobile at half past nine when he was picking him up at ten. 'Tell [child] I can't make it today'. And I'd go right, wouldn't start, cos [child] were upset, and then I'd just text him and tell him what I thought of him. Just say, 'if you're going to let him down, just don't bother at all'. ... I felt that after the first year when he started sloping off or ringing up or making excuses why he couldn't see [child], I thought, oh this is the start of it. And then, it'll be hard on [child] but like a clean break type of thing. But like I says to [father], 'you either give him more time or forget it. If he knows you're not going to be there it'll be hard on him but he will cope'. So I think it give him a bit of stand-up and look at himself. (Resident mother)

Some parents had worked round the problem, by, for instance, arranging for the contact parent to pick up the child from school rather than their home, or involving others in the handover. Others tried to reduce the impact on their children when they were young by not telling them about contact until they were confident it was going to happen.

I never tell her when he says he's going to have her because quite often he lets her down, so I'd rather not say anything. When it happens, it happens. I wait until I get a phone call on the day. 'I'm on my way, I'm on the train' and then it's OK, I can tell [child] now. (Resident mother)

Resident parents' reluctance around contact

The national survey found that 30 per cent of non-resident parents with ongoing contact thought that the resident parent had been reluctant to allow contact at some stage. Similarly, quite a high proportion of resident parents admitted they had been reluctant about contact (21 per cent). This was the most common problem referred to by the non-resident parents in the in-depth study and it was also admitted to, to some extent, by some resident parents.

Non-resident parents described their ex-partner's reluctance about contact being manifested in various ways. At the most extreme all contact had been denied for a period while in one it had stopped completely. One or two parents also said that the resident parent had threatened to stop contact, although they had not actually done so. We look further at these cases in Chapter 13.

Typically, however, non-resident parents described not so much a total block on contact as attempts to restrict the amount of contact, or where it took place, or a reluctance to allow overnights, or the resident parent just being awkward and inflexible.

> *Interviewer: Why do you feel that she's trying to restrict the amount of time that you see them?*
>
> *Father: She certainly did at the beginning, I think. At the beginning she was consciously working on it and I think now it's subconscious. There's the infamous example of probably about a year after I moved out. I think she's known for 20 years when my birthday was and she deliberately arranged to have some of her friends over that weekend, when it was my weekend. When I objected, she said, 'well I suppose we'd better ask the children how they feel about that, whether they want to come down and see dad or spend the weekend with their friends'. That was the worst, but there were a series of things of that nature. Where miraculously a party invitation will turn up the day before they're due to come, and that sort of thing. There were a lot of occasions like that. (Non-resident father)*

> *I'd say can I see [child] this weekend and it was 'oh, I've got something on, I'm going to see my friend', so I'd find myself some way down the pecking order. If I wanted [child] it would be totally dependent on, I've actually got a quote in the book where she came to the door one day and I said I'd like to spend a day with [child] on my birthday. It was a Saturday and I gave her a month's notice. She stormed up the path saying 'I'll check her diary'. I thought, this is a three year old, she's checking her diary, hello, I'm her dad. So it was that sort of abuse of power, as I saw it. I always think, underlying it, that she just wants to minimise the time I have with her. I still have that nagging at the back of my mind. (Non-resident father)*

The high proportion of non-resident parents who said that their ex-partner was reluctant around contact contrasts with a near-universal opinion among the resident parents who participated in the in-depth interviews that contact was important for children (see Chapter 6). Nonetheless some did admit that they had had reservations. For the most part this was because of serious concerns about the non-resident parent's ability to provide good enough care, because, for example, of drugs or alcohol abuse, or violence (we look at these cases in Chapter 10). Another said she had initially avoided setting up arrangements for contact for a couple of weeks because she had feared the child would not be returned. In the remaining cases one mother said she had been very reluctant to let her one year old child stay overnight with his father 'because to me at the age she was it wasn't natural that she should be away from me' while the other admitted that her initial reluctance had been 'because I just missed them really'. Unusually, this mother had been able to discuss her feelings with the father

> *We met up in town and had a coffee and sorted it out and I said to him, 'you've got to understand how hard this is for me, you've left me, I'm finding it difficult, I'm finding it hard to let them go please just bear with me and let me do it in my own time'. That's all I asked and after all he'd done to me I don't think it was asking too much. (Resident mother)*

The impact on children

There was little information in the interviews about how parents thought the resident parent's reluctance around contact had affected children. One might assume that where contact was suspended for some time, this would have had an impact, but we do not have a lot of evidence for this, perhaps because most of our interviewees had been separated for several years by the time we interviewed them. Resident parents who had suspended or restricted contact did not comment on whether it had affected their children. Non-resident parents, of course, would have seen less of their children at times when the resident parent was reluctant about contact, and therefore might not have been in a position to notice changes and effects on their children. One non-resident father, however, who had only seen his daughters once in five years, although he had been in frequent telephone contact, was

convinced that the eldest one's psychological and behavioural problems were attributable to mother's behaviour:

> *I know now that [child] is seeing a psychiatrist over there. And I firmly believe, and it's an awful thing to say, that that's her mother's fault. (Non-resident father)*

Where contact is suspended for some time and resumes, non-resident parents and children have to re-build their relationship – and again, one might assume that this could be a strain for children as well as parents. In the case quoted above, the father said:

> *Yes it was difficult for us because although you've got a relationship on the phone it's not the same as sitting and talking to somebody face to face so it was difficult for us and it was difficult for them. (Non-resident father)*

Another father, who had had no contact at all from the time his son was two until he was seven, perhaps rather downplayed the difficulties:

> *Not difficult, but I guess just a little bit awkward. We'd had a very very close, loving, father son relationship [but] he didn't remember any of it cos he was only two years old at the time it all went kaput. And he was obviously a totally different child to the one that I'd seen all those years ago. So there were a lot of bridges to build, and I think we spent a lot of time together at the weekends, doing stuff. And we got to know each other, and that's just progressed and progressed over the years really. (Non-resident father)*

Two non-resident parents additionally thought that suspended contact might have affected their child's opinion of their resident parent:

> *But I think the straw that broke the camel's back was [child] saying I'm going [to visit father], that's it. And she's had to let her go. Because it was starting to have an effect on her relationship with her daughter, that's what her daughter wants. (Non-resident father)*

> *I mean if I don't ever make contact I can see her growing up hating her mother, which I don't want. Because she stopped me from seeing her, and I don't want that. (Non-resident father)*

Tackling the problem

In some cases the resident parent's reluctance about contact was only a significant problem in the early post-separation period, while emotions were raw and subsequently matters settled down. One father, for instance, told us that it was only a matter of two or three months. For others, although the difficulties were now resolved, it was a lengthy process, extending over several years; two fathers had had no face to face contact for five years, although they now saw their children regularly. Several fathers said they thought there was still a residual problem with reluctance although contact was currently taking place. One non-resident father had no contact at all at the time of the interview because of the mother's reluctance.

Our in-depth interview sample, of course, consisted exclusively of parents who had not used the family courts over contact. However several non-resident parents told us they had threatened to use the courts to resolve the problem. Some had been successful:

> *Father: She started throwing a paddy and saying 'right, you're not having the kids until I get my money'. I'd been advised by my solicitor that if she did that, because she'd used arguments like that in the past, he said 'next time she comes out with a comment like that just turn round and tell her 'stop the access and we'll go through court''. She changed her mind*
>
> *.*
>
> *Interviewer: Did she actually act on that threat? Did she ever stop your contact?*
>
> *Father: No.*
>
> *Interviewer: Did she know that that's what you were planning to do if you did stop it.*
>
> *Father: Yes, I'd told her several times. (Non-resident father)*

> *Eventually it worked itself out, after much to-ing and fro-ing. I basically threatened to take her*

> *to court on about three occasions, that if I didn't get contact then we'd let the courts decide. I was in a good paid job, she was getting regular maintenance, I had my own place, I could provide for them, it wasn't a problem. (Non-resident father)*

One non-resident father, however, told us that his ex-partner had just dismissed his threats:

> *I'd always had this underlying threat that I was going to go to court and get a court order. She said 'well that doesn't mean anything' and that's true, it doesn't really. (Non-resident father)*

However this father had managed to persuade the mother into mediation, which had been successful in establishing regular contact. Nonetheless he continued to feel that she was not really fully committed to his involvement and that his contact (which was among the most extensive in the sample) was fragile. (All the fathers who had threatened court had used solicitors to help them deal with the problem).

At the other end of the spectrum, some fathers had decided not to fight but to take things gently. One reported how he had overcome the mother's initial reluctance by not forcing the issue but accepting her conditions about where contact should take place in the hope (which proved to be justified) that contact would progress from there. Another, whose ex-partner was resisting more extensive contact and particularly overnights, told us that he was still consciously doing that:

> *We did [discuss it] in the early stages, it was what the end goal would be but there was no time scale put on it. It was put to me 'when I feel comfortable with the fact that [child] is comfortable with you'. So I don't know. It's frustrating but I bite my tongue, I bite my lip, everything. I just put up with it because I'd rather not rock the boat. Because I have this bit of fear at the back of my mind that if I object and start to say anything she'll just say 'no, you can't see him any more'. That may be a little unfair though, because she hasn't given that impression. She's maintained the regular contact. (Non-resident father)*

These fathers felt that their strategy had been productive. Another had tried unsuccessfully for years to persuade his ex-wife (who lived abroad with the children) that if she allowed staying contact the children would be returned. For a variety of reasons, including financial, face to face visiting contact was not feasible. He therefore decided just to keep up regular telephone contact and sending presents in the hope, which was eventually realised, that the children would ask for more.

> *I didn't care what effect it had on her, I always made a point of letting them know I tried. I always sent Christmas cards, birthday cards, presents, money. I know they never always received that. So in some ways I perhaps took away the magic of Christmas by telling them exactly what I had sent. Because I would know that when I asked them, on Christmas morning, 'what did you get from Santa', that only 50 or 60 per cent of what I had sent across had been given to them. So, no, I'm not going to live with that. I don't know, to me it was the right thing to do, but it did take away that magic. But I felt I had to because I didn't want them to think that I was just forgetting about them. I wanted them to know everything I was doing and trying to do. And sod what effect that had on her and her relationship with them. (Non-resident father)*

Others were more negative, feeling they were, or had been powerless, and that protest got them nowhere. One father, for instance, said he had given up the battle to see his son years ago, and, although contact had resumed several years before the time of the interview, there had been several years with no contact at all:

> *I fought that one for about six months and in the end it just totally drove me insane, so in the end I decided just to move away and get away from it all. (Non-resident father)*

Another felt he could only stand by and watch as his contact was gradually whittled away, and wished now that he had a court order:

> *It changed from every weekend to every other weekend, but nothing I can do about it, just get on with it and make the most of that. Now it's gone to this [one overnight] so just see what happens, and go from there. The bottom line is, no matter what is said, the children, she shouldn't be dictating when I can see the children because she's not happy with what's going on. That's her, it's a personal thing really that she's not happy with. Yet she's entitled to turn round and say 'right that's it, you're not seeing the kids'. If we'd gone through the court*

and it was said, 'right, this is when you have the children, this is when you have the children'. Anything additional to that we can sort ourselves, you know. But it's set in stone that I am entitled to see the children from these times on these days, whenever. If that was set in place, this that's happened now, it would have prevented her from saying 'right you're not having the children, just from Saturday morning and bring them back Sunday night'. (Non-resident father)

New relationships

Re-partnering by either the resident or the non-resident parent does not invariably cause problems. Indeed there were a number of families in the in-depth interviews where it had a positive effect. Thus some resident parents said that a new partner had reassured them by bringing greater stability into a non-resident parent's life, or had made them more reliable:

Now there's the new dynamic of the, he's not remarried but he's living with a girlfriend and they've got a baby. I think that's actually made him more reliable, funnily enough. I think cos she whips him out of the door, 'you've got to go and get your daughter, go now.' (Resident mother)

He got involved in drugs and that at one point but that was a while ago now and it's over and he's with a really nice girl, so. I don't know what she sees in him but, there's something there and she seems to keep him under control, so it's good. (Resident mother)

New partners were also praised for their role in caring for the child, being a source of fun, or defending children from the parent's teasing. Non-resident parents too were sometimes positive about resident parents' new partners, in particular for facilitating contact either practically, by, for instance, undertaking the handovers, or by providing encouragement to one or other of the parents.

He's got a little boy as well, don't know if he was married before or not, he's got a little boy with another partner. And he went through a real tough time in terms of having access and all the rest of it. Yeah, and he wasn't allowed to have his son when he was round at [interviewee's ex-partner's house] and stuff, all this sort of stuff. Then she got to understand what it was like to be at the other side of it, so maybe that's kind of helped a little bit as well. (Non-resident father)

Nonetheless new parental relationships had clearly been a problem for many families at some point. Almost half of those taking part in the in-depth study said there had been difficulties directly linked with new partners. Although it was more likely that the new partner in question was the non-resident parent's, difficulties were also reported around resident parents' partners. As we shall see later this was also one of the most important issues for children. Indeed since some of the resident parents of the children we interviewed were not fully aware of their children's negative feelings on this matter it seems likely that the problem is even more pervasive than our parental interviews would suggest. Interestingly, new relationships did not emerge as a major problem in the national survey (only 14 of resident and eleven per cent of non-resident parents whose child currently had contact said that there had been problems with a new partner).

Resident parent's concerns about the other parent's new partner were largely voiced in terms of their impact on the children (see below). A few, however, also referred to their own initial feelings of hostility and resentment.

Mother: You know, I'll go round to his mum's and [father]'ll be there, we'll sit and talk like we're talking now. It's like, I'll see his girlfriend, I'll say hello. What's the point in being nasty?

Interviewer: You don't feel the need to give her a smack?

Mother: No, I did do, but not no more. (Resident mother)

A couple of other resident mothers also admitted to the difficulties they had coping with their feelings about another woman looking after their children. While one said she just gritted her teeth, the other had refused to let the children go to the father's house for quite some time because of the partner's presence:

I hated it. But I never said, never criticised their dad to them at all, never said anything about her at all to them. It was quite hard but I didn't want to place any more pressure on them or upset them any more than, you know, the situation was doing anyway. But inside I didn't like it at all. Hated it, the fact that they were going to be looked after by somebody else. (Resident mother)

Once [younger child] was born there was no way I was going to let my new-born baby go so [father] could play happy families with his girlfriend. So for quite a long time he come to the house to see them. I just couldn't handle it. All I could think about was what they would be doing, what she would be doing with my son. Would it be her changing his bum or would it be him. And [older child] would come back and say [dad's new partner] changed the baby's bum, [new partner] got [baby] ready for bed, and I'd be saying 'he's your son, why's she doing it, it should be you doing it, not her'. He'd say 'oh she doesn't, she didn't, she just did it once'. (Resident mother)

One or two resident parents also said new partners had been jealous of them, resenting their contact with their 'ex'. This mother, for instance, described how things had been alright when she was living with friends, but once she moved into her own accommodation things changed:

Once I'm on my own, and I don't have any friends around when he comes to visit, the girlfriend gets a bit panicked, 'I've only just taken you from her, it's alright when there are other people around but now'. And she was on the phone every minute. And it was 'when are you leaving because if you leave her house now that will be 12 minutes and I will be waiting'. She used to time him. (Resident mother)

Some resident parents had had more serious concerns about new partners. A resident mother told us of her concerns about the new partner's drinking and general 'immature' behaviour which had once resulted in the child (who was six at the time) and his father being locked out of his house at night:

I says [to the child], did you have a good time? He says, 'yes, er, no'. 'I didn't get to sleep 'til two'. 'Well why's that?' '[Girlfriend] were drunk and she went off and we came back to the house and she wouldn't let us in.' She didn't let him in 'til two in the morning. Then when he got in he slept with his dad on the settee. I spoke to her, text messages, and she's screaming down the phone at me so I just turned it off. (Resident mother)

Concerns about how the children were being treated by the other parent's new partner were a more dominant theme in non-resident parents' accounts. This ranged from worries about new partners being 'heavy-handed' over discipline to being 'controlling' or 'bullying' to reports that the child had been hit:

Father: I found out that her fella was disciplining them, using violence. And he'd hit them with a brush. I think it was a hairbrush or a clothes brush, a wooden-backed one

Interviewer: So more than just the odd smack?

Father: Yeah, he'd hit them on the head with it. And I'd never hit the lads, I didn't have to, it's sufficient to say, 'hey come on now, pack it in', sort of thing. Or, 'you're in your room', or what have you. So this was going on. (Non-resident father)

The other key theme was the new partner's attempts to prevent or restrict contact, or threatening to do so. This included those who were said to want to cut the non-resident parent out of the new family's life, those who wanted to prevent contact between the parents because of jealousy, and those who threatened to stop contact in reaction to an argument.

She ended up with this guy who was one of the local idiots. He eventually decided that he didn't want me to come and pick [child] up at the weekend because it was disrupting their family life. He wanted to cut me out of the equation so it all got very messy and nasty. (Non-resident father)

She used to bring the children round until her partner stopped her doing it. (Non-resident father)

Father: I've been threatened with [stopping contact]. So much so in the early days I even recorded a conversation on the phone, and it wasn't my ex-wife, it was her chap. Threatening, 'you'll never see your children again'.

Interviewer: That was after some kind of argument about something, was it?

Father: I think it was about a weekend arrangement but I can't think what it was now. It may have been because we couldn't have the kids that weekend and I couldn't get out of it, and I told them that, and I couldn't pick the boys up. Because of that I got this threat, if I hadn't picked them up you'll never see them again, something along those lines. (Non-resident father)

Interestingly, only one non-resident parent acknowledged that anxieties about being supplanted in the child's life played any part in difficulties with the resident parent's new partner. However several resident mothers reported arguments after the child had referred to their new partner as 'Dad'.

We used to have [new partner's children] every weekend so there was three of them constantly shouting 'Dad'. And cos of [child's] age she just copied them. And the first time she said that to her real dad, well, world war three went off I think. ... Oh it went berserk. (Resident mother)

She calls [stepfather] Dad. We did have a problem with her dad over that. We've always said to [child] that she either calls [stepfather] by his name, or Dad. We told her right from when she was young, that was up to her. She tends to call him by his name when she gets annoyed with him, the majority of the time she calls him Dad. And on one occasion her dad told her off and she was a bit upset, and I said, 'what's the problem'. 'I'm not allowed to call [stepfather] Dad'. (Resident mother)

Only one resident mother said that the child called her stepfather 'dad' without there being a problem. Indeed in one family there had already been an argument about who was going to be 'Dad' and give the child away at her wedding, even though she was still only nine:

Mother: I know her dad has upset her the last couple of weeks over a certain situation.

Interviewer: What was that then?

Mother: That if he can't give her away at her wedding, then he's not coming. It has actually reduced her to tears, 'well if I can't give you away at your wedding, I'm not coming and none of my family is coming'. But we've turned round and said, well at the end of the day it's her decision on whether she has, as it's classed in the house, her real dad or her step dad, to give her away. She's already chosen my husband. But that could all change, obviously. (Resident mother)

The perceived impact on children of the non-resident parent's re-partnering

It was rare for resident parents to say that their children had a good relationship with the other parent's new partner. It was much more common for parents to say there was actual dislike. While it is perhaps tempting to dismiss this as wishful thinking on the resident parent's part, our interviews with children suggest this might actually be an under-estimate. Indeed, although we have no direct data from the children about this, (since we did not interview children and non-resident parents in the same family) it seems more likely that non-resident parents were seeing or reporting a rosier picture than may have been warranted. It rarely came up in interviews and where it did most said the relationship was good.

Many resident parents felt that dislike of the new partner had made their child less keen to go on contact visits:

There's often, 'I don't wanna go because [new partner] is going to be a cow.' So I sort of counsel her into going a bit, and then often it's OK, but this last time it wasn't OK. (Resident mother)

She has come home from his house and she's been in a really foul mood, and she'll come in and say 'that's it, I'm not going to his house ever again, I can't stand him, and as for that girlfriend'. (Resident mother)

Others felt that the new relationship had affected the amount of time the non-resident parent made available for contact or that the quality of contact had changed, becoming less enjoyable for the child. In some cases, children's contact activities had changed when the non-resident parent re-partnered. A couple of resident parents said the child felt they came second after the new partner:

> *At the moment I think the new girlfriend and that is just, a bigger attraction. It's like, we'd been split up a year when [child] come home and er, he was quite upset. So I said, 'well what's the matter?' 'Dad's going on holiday with her tomorrow. He could have asked me. I wouldn't have wanted to go but it would have been nice to have been asked'. (Resident mother)*

There were also two families where the resident parent thought that the other parent's new partner was a bad influence – in both cases because of excessive drinking with the non-resident parent.

> *They actually don't like his wife and they've got good reason to to be honest, I won't go into details about her but she's very much on a par with [father] as far as drinking goes. (Resident mother)*

The birth of children to a non-resident parent and their new partner was not necessarily perceived as having a wholly negative impact on children. Some resident mothers felt that the new babies helped because their daughters enjoyed spending time and playing with their half-siblings (no one said this about their sons). However even in these families there were said to be problems with children resenting the demands which the new baby made on their fathers' time and the loss or reduction in one-to-one time with their parent and worrying whether they were still a priority:

> *That's the main problem at the moment, they get very very little time on their own with him and even when they go over, just to spend an afternoon at his house or something, the little boys are there. (Resident mother)*

All these themes were echoed, even more strongly, in our interviews with children (see Chapter 12).

Tackling the problem

As we commented in relation to parental unreliability, problems around re-partnering or new children rarely seem to have been tackled by talking it over with the other parent. However a few resident parents did say they had initiated discussions, with varying degrees of success. In one of these families the child had apparently coped with the father's previous girlfriends but felt the latest one did not want her around. Discussions resulted in the father spending a little more time with the child although the problem was not completely resolved:

> *Mother: I think [father's new partner] just had a different attitude. I think she just saw [child] as a bit of an inconvenience. And I think she thought that if she was going to be with father then it was going to be on her terms..*
>
> *Interviewer: And not really much place for [child] in that situation*
>
> *Mother: No. Well, limited place for her. So there wasn't really a, you know, it was the first time there was any negative about the girlfriends. So I took [father] out for coffee and said, 'do you know there's an issue here?' (Resident mother)*

In another, where the child had been told not to call her stepfather 'Dad':

> *I said to her, 'do you want to call him Dad?' And she said yes. So then I spoke to her dad and explained that it's her decision, if she calls him [by his name] or Dad, I've told her. And I said, I don't have a problem whether she calls [father's new partner by her name] or Mum. And I've said 'you cannot impose that on her I'm afraid, because she's a young child and she has to make her own decision there'. He wasn't very happy. And I said to him, 'it doesn't mean that she loves him any more than she loves you'. (Resident mother)*

Heated arguments, however, seemed more common:

> *Father: We had a bit of a falling out about four months ago as well. [Mother's new partner] is a bit of a control freak, he was being a bit forceful with the kids. He was shouting at them and pushing them around. I put a stop to it in my own way. .....I went round feeling pretty angry.*

Interviewer: Did it actually come to blows?

Father: Nearly, very nearly. She threatened me with the police.

Interviewer: Has that resolved it?

Father: Yes, it has. Every time I see the kids now I ask them what's going on, are things OK and I said to my ex-wife 'I'm going to be keeping an eye on this'. (Non-resident father)

Father: There's been one or two arguments in the past where we've got on the doorstep and [mother's new partner] has come out and said something that's inflamed me, hasn't got to fisticuffs but...

Interviewer: But it could have done?

Father: Yeah, it could have done. But um, just raised voices at the end of the day.

Interviewer: What kind of things were you arguing about then?

Father: Silly things really. And it ended up, you lay one hand on my kids and I'll take you to court, sort of thing. (Non-resident father)

None of the non-resident parents said they had decided to restrict contact between their children and their new partner in response to the concerns of the other parent. In fact one resident mother told us that her ex had refused to minimise contact between his new girlfriend and the child, and threatened to stop his own contact if she insisted. Two resident mothers said that their exes had told the children to lie about the new partner's presence.

Parents rarely reported seeking help from professionals over these problems. However one non-resident parent, who was concerned about the way his children were being treated, contacted his solicitor and, on advice, made a referral to Social Services.

Post-separation conflict between parents

When relationships fail emotions are likely to run high. A degree of 'bad feeling' is therefore perhaps to be expected. Indeed what was surprising from our national survey was not that this was among the most commonly reported problems but that the proportions were not higher. Moreover 53 per cent of resident and 64 per cent of non-resident parents said that their current relationship with the other parent was either friendly or neutral. Only 17 per cent of resident and 19 per cent of non-resident parents described their relationship as hostile.

The in-depth interview sample, of course, was made up solely of parents who reported having had problems over contact. Not unexpectedly, all but one of this group said there had been bad feeling and/or conflict between them and their ex-partner at some point since separation. The exception, a resident parent who said that her relationship with her ex-partner had always been amicable, was, bizarrely, a case where one might have expected there to be a great deal of conflict, since in the early years of their separation the father was said to be abusing drugs and alcohol and the mother was refusing unsupervised contact (and perhaps if we had interviewed the father his perspective would have been very different).

It is possible, of course, to have negative feelings about someone without necessarily voicing them, or to be in dispute without getting into direct confrontation. One non-resident parent, for instance, said:

I don't lose my temper with her, although I could really strangle her sometimes. (Non-resident father)

Almost all the parents in the in-depth study, however, reported angry exchanges with their ex-partner and/or verbal abuse from them (no-one admitted to being abusive themselves after separation). A few also reported harassment or even violence.

With hindsight, it might have been useful to have used a standardised measure to try to measure the levels of conflict in our sample. Attempting to do this just on the basis of

researcher judgement, however, suggests that there were only a handful of cases where conflict had been at a relatively low level or was only sporadic, at least in the early post-separation years, reflected in comments such as this one:

We've had the odd moment when he's perhaps let them down and I've had a go. (Resident mother).

It was far more common for parents to report 'shouting matches', 'lots of rows', 'hassle' and 'fighting'.

We were arguing virtually non-stop, about everything. (Non-resident father)

Things were pretty vile for a time (Resident mother)

How long conflict remained at such a level varied a good deal. For some parents it was only a matter of months. For others it was more prolonged, or conflict subsided but periodically resurfaced. In a few cases conflict seemed to be entrenched and was still evident at the time of interview.

We asked our interviewees to describe their current relationship with their ex-partner. The responses were very varied, from those we categorised as 'amicable' through 'civil' and 'OK, but some tension' to those which were 'tense/fragile' or 'difficult'.

In the majority of cases current parental relationships were now reasonably calm, with some being described as civil or even amicable and others being fairly untroubled although with some underlying tension. Most of these parents reported high levels of post-separation conflict, with only a few of them being fairly un-conflicted from the beginning. While we are, of course, reliant on the report of only one parent, and the other might tell a different story, these findings paint quite an optimistic picture of parental capacity to overcome their animosity or at least to find ways to suppress it. The findings in relation to the remaining parents were more worrying, particularly those who reported ongoing difficult relationships from the start.

Analysis of the number of years parents had been separated indicates that part of the explanation could simply be either that time heals the wounds of separation or that, as one parent put it, they simply become 'battle-weary'. On average, the parents who started off with high levels of conflict but now described their relationships as 'civil' or 'amicable' had been separated for eight years, whereas those where things were 'difficult' had been separated for just over five years and those whose relationship was 'tense/fragile' for four years. However the passage of time is clearly not the only answer: several of those in the difficult group had been separated for six or more years (the longest being twelve) while for several of those in the 'OK, some tension' and 'civil' categories no more than three years had elapsed.

Impact of parental conflict on the children

There is now a great deal of research showing the negative impact that parental conflict can have on children (for a summary see Harold and Murch, 2005). Most of the parents we interviewed thought that they had been fairly successful in containing their post-separation conflict, and believed that their child was largely unaware of arguments. However, several parents said that the children had been present when they were arguing. Some of these felt that their children had not been affected, usually because they were quite young.

Interviewer: Were the kids there when the arguments were happening?

Father: Yes.

Interviewer: How did they react to that?

Father: They didn't really. They were still very young so they didn't really notice what was going on that much. The eldest one picked up on it a bit. (Non-resident father)

Generally, however, parents who said that they had argued in front of children thought that this had upset them:

But we've also got to the stage where, if she hears us falling out, me and her mum, 'oh, daddy, no shout'. And you think 'whoa'. (Non-resident father)

I suppose at the beginning as well, we used to argue a lot. [Child] used to cry, she used to stand at the door and say 'please mummy, daddy, stop fighting'. Because we used to be arguing constantly when he came to the door to get them or when he'd go. (Resident mother)

Many parents reported that their children had witnessed arguments between a parent, and the other parent's new partner – most frequently between the father and the mother's new partner, but also between the mother and the father's partner. This was largely limited to verbal arguments, sometimes face to face and sometimes by telephone. There were several incidents of physical violence, however, including one non-resident father who said that his child had witnessed a physical fight between him and his ex-partner's new boyfriend, and a resident parent who described how she needed to seek an injunction against her child's father, after a violent incident precipitated by her new partner moving into the household

In only one case were children reported to have seen violence between their parents after separation.[9] Generally the violence children witnessed was between their father and their mother's new partner. Parents realised that violent incidents or arguments involving new partners upset their children but generally did not seem to think that there had been any long-lasting emotional effects or behavioural problems as a result of witnessing conflict involving new partners:

Father: My eldest son had been a bit shaken up by [father's fight with mother's new partner]

Interviewer: Did he witness it?

Father: He was in the house at the time when it kicked off, yes. So initially he was a bit anxious. But once we'd sat down and had a chat, because he didn't know what was going on. (Non-resident father)

Badmouthing

In addition to witnessing, or being aware of parental arguments, children can be directly caught up in adult conflict when one parent says derogatory things to them about the other. Many parents in the in-depth study said that this had occurred. Most commonly it was the other parent who was said to be 'badmouthing' the interviewee and while some parents (mostly resident) admitted to giving in to temptation themselves on occasion, they were emphatic that the worst of it came from their ex-partner.

[Child] is very sensitive when it comes to her dad. You can't, it's like if me and my husband were having a conversation, or me and my mum and dad over it, [talking about] a situation that's happened, she will sit there and say, 'please don't speak about my dad like that'. So we try not to do it in front of her but I know that there's a difference, like her Dad will actually slag us off in front of them, and she will complain and tell us. (Resident mother)

When parents commented on the effect this had on their children, the universal feeling was that the children were upset by hearing derogatory comments about their parent. In some cases, children felt compelled to defend their other parent. Parents' reports often indicated that the children had been confused – they did not know who to believe. Bad-mouthing can damage the child's relationship with the parent who has been attacked, which may of course have been the intention behind the attack:

Mother: Whilst I'm sitting there saying to them, you know, 'I don't want you to take sides, you're welcome to see your dad when you want', etc etc, and that sort of thing, he didn't unfortunately give me the same grace, he tried to stir up trouble and tried to speak against me to the girls and that sort of thing. ... And they were quite awful to me for a period of time.

Interviewer: Based on what their dad had said to them, right?

Mother: Because I guess at the end of the day they knew that it was my decision to split the marriage up, and they sort of, you know, kids don't want to think of their dads as being somebody that's not very nice, do they. (Resident mother)

However, several parents felt that bad-mouthing can backfire by damaging the child's relationship with the parent who had made their feelings clear.

I think it's the single most stupid thing that she's done, because it turned them against her. Kids are brighter than grown ups, they work it out. There's so much I could have said to the kids, about their mum. But I didn't, I just didn't. Cos I didn't think it was right. And although it's bloody hard, and I've spoken to people since that have divorced after me, and I've said 'if

9 There were several instances of pre-separation domestic violence witnessed by children; see chapter 10 for discussion.

I've got one bit of advice for you, however you feel about your ex, don't say it to the children. Say it to me if you want to get it off your chest but don't say it to your kids, your mother's a nightmare, or whatever. It's not right and it'll come back to haunt you'. (Non-resident father)

One parent felt that when his ex-partner had criticised him, his children had taken it personally.

The boys did turn round and say to their mother, they said, 'you've gotta remember if you insult my dad you're insulting half of me'. (Non-resident father)

In all the cases where parents thought that their ex-partner had bad-mouthed them in front of the children, they knew about it because their children had either told them directly, or they had picked up on phrases or knowledge which the children 'must have got from their other parent'. Bad-mouthing was clearly a cause (as well as a symptom) of bad feeling in many families, but we do not have comments from parents regarding whether children realised that, in some cases, they had inadvertently been the source of arguments by letting one parent know what the other had said about them.

Handovers

Children are probably most at risk of witnessing parental conflict when they are 'handed over' from one to the other. Several parents in our qualitative study referred specifically to such difficulties (the national survey did not have a question on handover problems so we cannot say how common they are).

I've had situations where I've been on the doorstep at [mother's] house and she's started a tirade as she's handing him over. And the message it sends to [child] is all wrong. You know. He'll just sit there and listen. (Non-resident father)

Several described the upset such confrontations had caused their children:

[Child] does get upset if [mother] shouts at me. He does run off into his room and all this lot. And I think that's why I decided, well I don't know really how it happened but I thought well I'm not going to go into the house any more, cos I'm not shouting in front of [child], it's not on. (Non-resident father)

It were last year. I can't remember what had gone off but [father] come down shouting. He were supposed to be picking [child] up and [child] were crying then because he didn't want to go because he could see his dad had upset me and I weren't having none of it, I'm not having shouting in the house, you're upsetting [child] and closed door in his face and said come back when you've calmed down. [My son] got quite upset then, and said 'I don't want to see me dad'. (Resident mother)

Parents adopted two main strategies to avoid difficult handovers: using a neutral place or avoiding direct contact, typically by making the handover outside the house.

Interviewer: When you kind of handover with [mother], is that something that you can do face to face, how does that work?

Father: Yeah, it's face to face, but [mother] barely makes eye contact.

Interviewer: OK, so it's very brief.

Father: Over in seconds, sad. Sometimes it's shouted, [child's]s coming down the stairs. And when [child] goes back tomorrow morning, I will tend to drop him outside the house and he'll run in and I'll just wait and make sure he's gone inside. (Non-resident father).

I find it easier to meet at a service station because then you're actually out in the open and ...Because once I handed over the kids and it was very angry and aggressive if you know what I mean. That's why I prefer to meet in a public place so that you know, he can't do too much if you know what I mean. (Resident mother)

These strategies were not always successful:

I basically stopped having contact with her to try and stop these confrontations but she's actually got to the point where she'll actually try a confrontation over the phone, or when I

drop kids off in car, knowing full well there's not much I can do while I'm in car, I can't get away from her. That's why I tend to drop the kids off and as soon as I see door open I'll pull off, to try and avoid the confrontation. (Non-resident father)

Interestingly no-one told us that they were regularly using a third party to do the exchanges now, though some had done so in the past.

Handovers, of course, can also be distressing for children even where there is no overt parental conflict. They are a stark reminder to children that their parents have separated and they may be acutely aware of their parent's emotions at this point. They may be reluctant to leave one or the other parent.

Mother: After a couple of months of going there she realised what was going down and this is permanent and she used to kick and scream and it was awful. The handovers were awful. They used to just leave this child absolutely distraught, that was terrible.

Interviewer: And did that go on for a while or did that settle down quite quickly?

Mother: It went on for quite a while, a good year or so, I think. It was bloody hard. But I also knew that once they got underway it was fine, [father] used to say to me, 'she's fine after half an hour, when you're gone, she's fine'. And I'm sure she was. (Resident mother)

Father: [Child] gets upset because I was going, it was awful

Interviewer: So when you drop him off he gets upset?

Father: Yeah. Well he stopped over last weekend, and when he was saying goodbye to my mum and dad, I was outside, he said he got a bit choked. He just went, 'right, bye' and ran off, like. And then he got a bit upset when he got back home, because he'd had me all weekend you see. So. But no, it's not easy (Non-resident father)

Children's distress at separation from a parent, of course, could also stem from, or be related to difficulties in the parental relationship. One resident mother, for instance, said she suspected that her child had exaggerated his upset at leaving her because he wanted her to believe that she was still his 'favourite' parent. Another mother thought that her child's behaviour at handover was partly manipulative and intended to set the parents against each other. In a third case the children's reluctance to leave their contact parent was the trigger for a parental confrontation.

I remember one situation, she parked up behind my car and the boys just didn't want to get out of my car. And my ex wife was a bit upset by it all and started being a bit irate and shouting, 'you must get in the car, you've got to come now'. And that made the situation worse, so I was literally trying to drag them out of the car, kicking and screaming, and trying to put them in her car, and they were kicking and screaming and trying to get back out again. (Non-resident father)

Reluctant children

There were only a few families in the in-depth sample where parents said that a child had refused all contact. It was much more common for parents to report a degree of reluctance rather than total refusal, and sporadic, rather than persistent, resistance. The reasons for this were quite varied. In some cases it seemed it was not so much that children did not want to see their non-resident parent, more they did not want to leave their home. This might be because they were naturally 'home birds', or they did not want to leave their half-siblings, or, particularly as they got older, they wanted to spend more time with their friends, or pursuing leisure activities.

In others there were said to be things about contact which put children off. We have commented above on the often negative feelings children could have for the non-resident parent's new partner, and their feelings of resentment when they felt their contact parent did not spend enough time with them. This could make children reluctant to go to contact. One child was said to be bored, another did not like the stricter rules at his father's house. In a few cases, however, relationships between the child and the non-resident parent

seemed tenuous or had become seriously strained.

[Younger daughter] couldn't care, I don't mean that awful, but she actually told me, she told me that she didn't feel like Dad was part of the family, she didn't feel like he was really her Dad. This was quite recently she said this. She didn't feel like he was her Dad. (Resident mother)

She'll just rant and rave and I'll say 'OK darling you're a bit upset, everything will be fine'. And she'll say, 'no, if he phones up I'm not answering the phone'. And she has put the phone down on him, he has phoned up and as soon as she's recognised his voice she just puts the phone down. And that went on for about a week once. ..[later in the interview] And I think something must have happened, you know, on holiday that really wound her up. And as far as she was concerned she came back, she hated her dad, she hated [father's new partner], and she never wanted to see them again, and he just turned round and said - excuse my language here –' I don't need this shit in my life. She knows my phone number, she knows where I am, she can contact me'. (Resident mother)

This child was clearly very well able to make her feelings known to her non-resident parent. This was not always the case, however. One resident mother, for example, said her daughter had recently become upset before contact visits, but felt unable to tell her father she did not want to stay.

Recently I've had quite a lot of trouble with my daughter going over there. She's been crying and ringing me and texting me saying she doesn't feel very well. She's never said she doesn't want to go to her Dad's, but she'll say, I don't know, it's difficult. She'll say 'well if I want to come home will you come and get me?' I think if she was maybe a bit older she'd say look I don't want to go this weekend, but she doesn't feel that she can make that decision. I think she feels under quite a lot of pressure from her dad to go there. She's said to me she doesn't want to hurt her dad by not going, she doesn't want to upset him. (Resident mother)

Tackling the problem

Where children's reluctance was just manifested in short-term distress at handovers resident parents said they made themselves be firm, even if they felt awful sending the child off in tears.

I used to dread it, I hated it, I felt like I was a real awful mother for making him go. But in my eyes it was for his benefit because he'd got to have a relationship with Dad. (Resident mother).

Another resident mother reported taking a similar position when her daughter suddenly started 'playing up':

Mother: Four or five months ago she was screaming, 'I don't wanna go, I don't wanna go'. But she stopped after about three weeks. I think she was just playing up a bit.

Interviewer: How did you deal with that, because it can lead to real problems?

Mother: It can do but I always just say 'you're going, you've got to go, this is what's happening'. Because I thought if I started saying 'OK you stay', then every week it's going to happen, so I just kind of made her go and she soon got out of it.

Interviewer: Was she just saying she didn't want to go or were there any other problems, wetting the bed or...

Mother: No, nothing like that.

Interviewer: So there were no other signs that she was really distressed.

Mother: No. (Resident mother)

Where the problem was seen as rather more deep-seated (and usually the child was older) resident parents were more likely to say that they had tried to bring them round:

He's only just accepted his Dad's girlfriend really. He turned round to his dad and told him straight, 'if you move in with her then I don't want nothing else to do with you.' Because he sees her as splitting me and his dad up. I said to him 'go down there, try. No-one's saying that you've got to get on with her, if you find after a few times that you don't then fair enough, it's up to you. But they're together and nothing's going to stop that'. And he's getting there, he's been down there a couple of times. (Resident mother).

One mother said she had tried to calm things down between her daughter and the father; another had advised the father not to force the issue:

It would be a case of, if he upset her, like if he turned round and said 'I'm giving you two minutes and then if you're not ready I'm going', or something. She could then just explode and say 'right, go, I'm not going out'. And then you've got a stalemate cos he's being a bit, not sensible, and she's obviously got upset, and then he might go off like home or something and I would have to phone him up and say 'look, you know, it's your time to spend with [child], come back again, she's all ready, and sort of start again'. (Resident mother).

I had to tell him that [child] didn't want to go and stop with him the other weekend, she said 'I don't mind going to my dad's but I don't want to go and stop'. So I text him, [child] doesn't want to come and stop this weekend. He wanted to know why and he actually phoned me and I said 'I actually don't know, all I know is that she doesn't seem very happy and she just doesn't wanna come and stop for the weekend. And I'm not pushing it, and I don't want you to push it, let her come out with it in her own time'. And he was like, 'OK, not a problem'. So that was, quite OK really. (Resident mother)

Others had looked for ways to make it easier for the child: promising that if they went and really wanted to come home they could; providing the child with a mobile phone so he could ring home which acted as 'a kind of security blanket', or changing the handover arrangements. One mother said if the children did not want to go she would go along with this, but only if they told her in advance so she could warn the father in good time:

[My son] is a bit iffy. I think he always has been. As he's got older it's like, 'I don't want to be here'. And it's like, 'you're going to your dad's'. 'Well do I have to?' 'Well yes, you've got to go. Because otherwise there's just going to be uproar. Because he's made arrangements, this that and the other, and it's all going to be destructive, he's not gonna like it'. I said 'if you didn't want to go you should have told me'. The attitude is, if they don't want to go to their Dad's then they have to tell me by a certain time so I can then let him know that this is the situation, the kids aren't coming. (Resident mother)

Clearly some of these strategies could be interpreted in a different way. Telling a child that if they do not want to stay they can ring and ask to come home could be seen as an invitation to do so; giving the child a phone so they can speak more easily to their mother could be seen as discouraging the child from settling. However this was not the impression we generally obtained. Rather resident parents seemed to be trying to balance the competing values of encouraging the child's relationship with the non-resident parent while respecting the child's right to some say in what happened.

Children's feelings of guilt and emotional responsibility for parents

Several parents interviewed in the in-depth study commented that they thought their child felt guilty about aspects of contact, whether this was about not going for contact visits, or leaving their resident parent. Making the child feel guilty was often believed to be a deliberate 'tactic' by the other parent.

Actually the thing that comes into play now really is friends' birthdays, you know, sleepovers. And [father], at first, when it first started happening, I think he'd make her feel a bit bad about it. 'Oh right, so you're not going to see me for a month then?' And now she's like, 'no, I'm not. It's my friend's birthday weekend and that's all there is to it'. (Resident mother)

Father: Mum's saying, you know, 'I miss you'. And a lot of that goes on as well, 'if ever you want to come back, just phone me' and I think a lot of goes on. I know a lot of that goes on, yeah.

Interviewer: So the kids kind of feel that they have to look after their mum, think about their mum's feelings?

Father: A bit of guilt there, yeah, absolutely. 'You came out of my tummy', she says to them,

> *things like that. ... [later in interview] Cos I think they've got, not a fear, think they need to keep mum happy at the end of the day. She says, 'you'll never leave me, don't ever leave me' and things like that to them, which they've told me. You know. They've got guilt riding with them as well I think, they're not free to make their own choices. (Non-resident father)*

Deliberately making children feel guilty about contact, however, can be counter-productive – as children get older they are more able to recognise their parent's behaviour and resent attempts to make them feel bad. A couple of parents said they were aware of the risks and did not want to put their children in a position where they might feel guilty. This non-resident father felt that he had to back down (he wanted more contact) because he didn't want his children to feel they had to choose between him and their mother:

> *Father: 'Fine, you've won, you can have them'. I wasn't going to be the one to say, 'children, you must choose to come and see me or not'. I can't win in that situation, there is no win in that situation other than to say, 'well OK. The children come first, you've arranged this'.*
>
> *Interviewer: Because they're going to be unhappy whatever they choose?*
>
> *Father: Well you know I wasn't going to put them in the situation to do it. (Non-resident father)*

Children's perceived guilt around contact was part of a wider theme: that of children feeling, or being made to feel, responsible for their parents' emotions. Several resident parents reported that their child asked them to do – or not to do – something so that the non-resident parent would not become upset, and others thought that their child was especially well-behaved or careful around their non-resident parent. From their reports it seemed that children monitored and tried to neutralise threats to their relationship or to contact by avoiding making the non-resident parent angry or by minimising their own demands:

> *Mother: They do miss him, they love to see him and just love him to bits, they're just very reticent, not very confident at saying, 'right I haven't seen you for three weeks, why can't you, let's go swimming or whatever'. But they moan to me but they don't say that to their dad. ... [later in interview] I mean, for all these years, for nearly 10 years I've sort of pushed and pushed for them, but I think if they don't start taking responsibility now for telling him how they feel he might think it's me nagging or whatever.*
>
> *Interviewer: Are they worried that they'll make him feel bad?*
>
> *Mother: Yes, I think you've hit the nail on the head there. Cos they've said that before, they have said that actually, they don't want to upset him, not as in upset him make him angry, but upset him make him sad. Yeah, they've said that before. They don't want to make him feel, cos they said, 'you know he works hard, he works long hours, and then he has to look after [his new children] and he has to do this, he has to do the shopping', and you know, he has to do a lot of things I think when he's not at work, and they don't wanna add to his burden I think. (Resident mother)*

> *[Child] has his good moments and his bad times, where I think he was kind of, forcing himself to be happy and the few short hours he had his dad, not to upset him, have a good time. Cos you can understand that, that he doesn't want his dad to be angry with him or anything, tell him anything that's negative. He just wants it to be all positive. But I said, 'your dad's got to know you're upset or that there's some things you don't like, cos if you don't tell your dad he won't know any different'. Like I said to him sometimes, 'you don't want to upset your dad but you can upset me every day of the week!' (Resident mother)*

Comments from parents in this sample often suggested that they thought that their children feel that their contact is not guaranteed, or that the child's relationship with their non-resident parent is quite fragile, and that children are anxious not to upset the parent. As we shall see in Chapter 12, several children's interviews also raised similar themes around guilt and responsibility.

Summary

This chapter explored some of the contact problems commonly reported by parents taking part in the in-depth interviews: non-resident parent unreliability; resident parent reluctance around contact; parental re-partnering; 'bad-mouthing', bad feeling and conflict; handover difficulties, child reluctance and children's feelings of guilt and responsibility. It looks at the experience of the parent interviewee, the perceived impact of the problem on the child, where such information was available, and what parents had done to address the problem.

The non-resident parent's unreliability, a problem commonly reported by resident parents, was said to be distressing for children, could affect their behaviour, and erode relationships. Resident parents found it upsetting to have to deal with the child's reactions and some worried that they were letting the child down. Some had worked round the problem by altering arrangements or not telling children in advance about contact; a few had discussed it calmly with the other parent, many reported acrimonious exchanges.

Non-resident parents' complaints about their ex-partner's reluctance about contact, were typically not that contact had been completely stopped but that the resident parent had placed unreasonable restrictions on what contact took place, or had just been awkward and inflexible. A few had threatened to use the courts to resolve contact arguments. Some had deliberately opted for working with what contact was on offer in the hope it would progress. Others felt they were essentially powerless.

New parental relationships, though they could have a beneficial effect on contact, had been a problem for many families, engendering feelings of hostility between the adults and in some instances concerns over the behaviour of the other parent's new partner or their treatment of the child. Resident parents rarely thought their children had a positive relationship with the non-resident parent's partner (a perception strongly confirmed by the children's interviews) with many said to resent the impact of the new relationship, and particularly the birth of new children, on their contact time. These problems were rarely tackled through discussion, or by calling on professional help; heated arguments were common.

All but one of the parents' interviewed in depth reported bad feeling or conflict at some point. Almost all also reported angry exchanges with their ex-partner or verbal abuse from them, with a few describing harassment or even violence. In most cases, however, parental relationships were now reasonably calm, even those which had been highly conflicted, although about half remained either difficult or tense/fragile. Most parents thought they had been fairly successful in containing their conflict so that the children were largely unaware of the arguments, and some whose children did know were considered to be unaffected. Other children, however, were said to be distressed. Many children had witnessed arguments between a parent and the other parent's new partner, sometimes involving violence.

Many parents reported that the other parent had said derogatory things about them to the child (and a few admitted doing it themselves). Such 'bad-mouthing' was universally felt to be upsetting for the child, who could feel confused or feel compelled to defend the other parent, or feel that part of themselves was being attacked.

Handovers could be particularly difficult. Parents adopted two main strategies to avoid this: using a neutral place or avoiding direct contact, typically by making the handover outside the house. No-one was regularly using a third party to do the exchanges now, though several had done so in the past.

The child's reluctance about contact was mentioned by many resident parents. Although there were a few families in which a child had refused all contact it was much more common for parents to report a degree of reluctance and occasional rather than persistent, resistance. The reasons varied from factors that were more to do with the child's reluctance to leave their primary place of residence to aspects of the contact which put children off. The strategies adopted by resident parents included taking a 'firm' approach to short-term distress at handovers, trying to bring the child round where the problem lay deeper, mediating between child and the non-resident parent where relationships were tense, and finding ways to make contact easier for the child.

Many parents we interviewed mentioned that they thought their child worried about treating parents equally and felt responsible for their parents' feelings. Related to this, some parents thought their child felt guilt about asking for changes to contact or when a contact visit had to be cancelled, and in a few cases, parents thought that the other parent might have deliberately made the child feel guilty.

Chapter 10: Welfare and safety concerns

In the previous chapter we looked at some of the problems around contact commonly reported by parents - unreliability, resident parent reluctance or child reluctance about contact, conflict and the impact of new partners. We also noted in Chapter 5 that many parents were critical of the attitude or behaviour of the other parent in relation to contact. In some instances, however, parents also reported concerns about the other parent's care of the child, and some of these concerns involved serious welfare issues - drug and alcohol abuse, mental illness, or child abuse. There were also cases where parents had concerns about their own safety. This is the subject of this chapter. We look first at the data from the national survey before turning to the material from the in-depth interviews.

Findings from the national survey

Resident parents' concerns about the other parent's care of the child

Almost a quarter of resident parents (24 per cent) whose child was having contact had had concerns at some point about the other parent's care of the child.

For at least half of these parents, the concerns involved what would clearly be regarded as serious welfare issues: alcohol abuse (46 per cent); drug abuse (24 per cent); mental illness (14 per cent); or child abuse (five per cent).

Overall, eleven per cent of all resident parents whose child was having contact were concerned about at least one serious welfare issue (alcohol abuse, ten per cent; drug abuse, five per cent; mental illness, three per cent; and child abuse, one per cent).

Substantial contact could be taking place despite serious and current welfare concerns, although many resident parents were not happy with this. In the 26 cases in the national survey in which resident parents voiced such concerns, 16 children were having overnight contact and ten were seeing their non-resident parent at least weekly. Fourteen of these parents said they would prefer there to be less contact or none at all. Only three said that contact was supervised.

Where there was no current contact 28 per cent of resident parents said they had had concerns about the other parent's care of the child, with nine per cent identifying a serious welfare issue.

Over a third of resident parents who said they had ever stopped contact (36 per cent) said this was because of concerns about the child's safety. Of these almost half identified a serious welfare concern.

While other concerns about the child's care may be less grave, they are not minor, and some may verge on serious welfare issues or have major implications for the child's physical or emotional well-being. In cases where contact was ongoing, 24 per cent of resident parents had expressed some concern. 56 per cent of these (equating to 12 per cent of all resident parents with contact) said the other parent had said derogatory things about them to the child. Forty-six per cent (ten per cent of all resident parents with contact) were concerned about lack of routine; 38 per cent (nine per cent) said 'they don't look after the child properly'; 19 per cent (four per cent) that the child 'mixes with unsuitable people' and ten per cent (two per cent) that the other parent was 'too harsh with the child'.

Resident parents' concerns about their own safety

Ten per cent of all resident parents whose child was having contact reported they had had concerns at some point about their own safety.

Six per cent said fears for their own safety had affected contact, half of whom said it had

caused contact to be suspended at some point. Two per cent said it was currently affecting contact or causing it to be suspended.

Eight per cent of resident parents who said they had ever stopped contact, and 19 per cent of those who had done so more than occasionally, said this was because of fears for their own safety.

Non-resident parents' concerns about the other parent's care of the child

Non-resident parents were equally likely to have had concerns about the other parent's care of the child (23 per cent of those with contact).

A third of these (33 per cent; nine per cent of all non-resident parents with contact), voiced concerns which involved serious welfare issues: child abuse (18 per cent); mental illness (twelve per cent); alcohol abuse (eight per cent); drug abuse (eight per cent).

Overall, nine per cent of non-resident parents with contact were concerned about at least one serious welfare issue (child abuse, four per cent; mental illness, three per cent; alcohol abuse, two per cent; or drug abuse, two per cent).

'Saying derogatory things about me to the child' was the most common concern (59 per cent of those who voiced any concern; 13 per cent of all non-resident parents with contact), followed by 'they don't look after the child properly (47 per cent; ten per cent); lack of routine (43 per cent; ten per cent); 'the child mixes with unsuitable people' (31 per cent; seven per cent) and 'they are too harsh with the child' (14 per cent; three per cent).

Non-resident parents' concerns about their own safety

Three per cent of all non-resident parents who were having contact said they had had fears for their own safety at some point and one per cent said this had affected contact. None said that this had ever caused contact to be suspended.

Findings from the in-depth interviews with parents

The in-depth interview sample was not deliberately selected to include parents who specifically mentioned welfare or safety concerns. Nonetheless such concerns were very prevalent. More than half the resident parents interviewed said they had had concerns about the other parent's care of the child and two non-resident parents said that the resident parent had expressed such concerns. Although non-resident parents were somewhat less likely to voice concerns about the resident parent's care, some did so, while two resident parents said that the other parent had expressed concerns about their care. A few resident parents said they had been afraid the other parent would not return the child from contact and two non-resident parents said this had been an issue. One non-resident father said he had refused permission for the children to be taken out of the country on holiday for fear they would never return. In addition a large minority of resident parents, and one non-resident, had concerns about their own safety while some non-resident parents said that the other parent had made allegations against them. Very few cases were entirely free from such concerns.

Concerns about the care of the child when with the non-resident parent

Serious welfare concerns

Of the resident parents who voiced concerns about the care of any of their children when with the non-resident parent, more than half referred to what we have categorised as serious welfare issues: alcohol abuse, child abuse, drug abuse and mental illness.

It is important to note that it was not always the non-resident parent who was perceived to be the risk. This particularly applied to concerns about child abuse where the perpetrators, or feared perpetrators, were, variously, the non-resident parent's new partner; the paternal grandfather, and an older child visiting the non-resident parent's house. In one of the

remaining cases the mother had suspected the father, who had been violent to her during their relationship, was ill-treating the child, who had returned home with finger-tip bruising. She subsequently decided this was not the case. In the other the child had made allegations of sexual abuse against her father, who is now only allowed indirect contact. Thus we did not have any cases in the in-depth sample where there was ongoing contact even though the resident parent feared the other parent was abusing the child. Indeed in all the cases safety measures had been put in place, either agreed by the parents or insisted on by the resident parent. There were also two cases in which the concern was alcohol abuse where it was the other parent's partner who was perceived to have the problem.

The level of welfare concerns in the remaining cases varied. In relation to problem drinking, for instance, they ranged from one resident mother who said fairly laconically 'I think he's seen his dad drunk a few times' to a father who was said to be a chronic alcoholic. One mother told us how, in the early days after separation, she had refused to let the father take the child out of her house because of her fears

> *He drank a lot so I was quite protective of her. She was only three. I just, with the drinking and driving I could not let her out of my sight, I am quite a protective mother. ...He's had 14 drink driving [offences], crashing the car and that. There was just no way I would risk my daughter going in a car with him. Had he carried on the way that he was doing, she'd never have gone out with him. I did everything to let her see him under my control, that I knew she wouldn't come to any harm. (Resident mother)*

Similarly, concerns about drug abuse ranged from regular use of cannabis to 'problems with drugs on a large scale' and heroin addiction.

> *He'd take owt. I don't think he ever took heroin, or owt like that, but cannabis, regular, he used to get the shakes if he hadn't had it for a bit. (Resident mother)*

> *He got involved in drugs and that, it was heroin, yeah it wasn't very good. It got quite bad. When he got caught with it I was like, 'argh' and I freaked out and that was it, she wasn't allowed to stay with him, if he wanted to see her she was at his parents and that was it. I never stopped him seeing her but I just didn't want her in that place with the risk of him falling asleep or whatever. (Resident mother)*

For the most part, by the time of interview, these welfare issues were no longer 'live'. One non-resident parent, for instance, had recovered from his serious depression; others had tackled their problem alcohol or drug use, sometimes, clearly, because of an ultimatum from the resident parent. One mother told us that in the final days of their relationship she discovered that her partner, who she knew smoked cannabis occasionally, was also selling drugs from the house and occasionally using other substances:

> *I went mental. I thought it was just a fun thing he did when he went out with the boys but it wasn't. So then when we separated I said I was going to go to the solicitor and get them to do a test and he wouldn't be able to have her unless I found out about the contents of his body. He said I was lying and that it wasn't actually a legal procedure. Shortly after he started to clean up. And the new [father] emerged, who wouldn't touch it. So ever since then he doesn't. (Resident mother)*

In other cases, while the basic problem was still there, resident parents were less concerned, either because it was no longer as serious, or the non-resident parent was felt to have a sensible partner who would keep an eye on things, or the children were older and therefore better able to protect themselves or at least tell the resident parent what was happening. One mother, however, seemed remarkably relaxed about her nine-year old son visiting, and occasionally staying with, his father:

> *Mother: To my knowledge [father] is still taking [drugs]. [Child] has told me how to skin a joint up so he's obviously seeing things like that. And I've heard that he's taking cocaine now as well. This estate is an old-fashioned estate and you can't sneeze without everybody knowing about it. And I've heard rumours about 'he's been doing this and he's been doing that'. It would be very easy to listen to rumours and think, 'I shouldn't let him go any more'. But I've not heard that from [child] and I think that's just something [father] does at weekends when he goes out. If I thought there were any danger to [child] because his dad were under the influence of drugs and not fit to look after him I'd soon have summat to say about it. But I don't think he does, Every time I've seen him he's been coherent and sober.*

Interviewer: Do you think [child] would tell you.

Mother: Yeah. He's always been a title-tattle, tell me everything. But no, [my son's] welfare has always been at the forefront of my mind and if I thought he was at risk I wouldn't let him go up. (Resident mother)

There were only two cases where the resident parent had serious current concerns about the child's welfare. One involved the drunken behaviour of the non-resident parent's new partner, which the mother dealt with by denying staying contact. In the second, where the non-resident father was said to be an alcoholic who periodically became abusive to the mother, he only had visiting contact, for fairly short periods. The mother monitored his mental state and refused contact when he 'wasn't in a good place'. She felt the problem was 'manageable', although the previous week, when we had spoken to her on the telephone, she had been seriously worried about father's state of mind:

I've never said to him you can never see [child] again. Even though there have been periods when he's been difficult, I've explained to him that this is not about using [child] as a pawn in the middle of this. It's about 'you cannot behave in the way you're behaving' ... he understands why I've made the decisions I've made about 'no you cannot see him because you're no in a good place and it's no right'. (Resident mother)

As we note in Chapter 13, resident parents who said they had ever stopped contact usually said this was because of welfare concerns. What is striking, however, is that in the majority of cases where there were such concerns contact was not stopped. Rather resident parents reported taking protective measures (including, sometimes, threatening to stop contact). Sometimes, as we have instanced above, this involved denying staying contact, or insisting contact took place at the resident parent's home. Others arranged for contact to be supervised by relatives.

It happened about six years ago, when he got involved in drugs ... when he got caught with it I was like, 'argh' and I freaked out and that was it, she wasn't allowed to stay with him, if he wanted to see her she was at his parents and that was it. I never stopped him seeing her but I just didn't want her in that place with the risk of him falling asleep or whatever. ... So I was like, there's no way. So she's not stayed with him on her own since then. (Resident mother)

Other concerns about the non-resident parent's care

In other cases, resident parents had less serious concerns about their ex-partner's care of the child (although the concerns were still understandably important to parents). Some of these related to practical issues and providing for basic needs, particularly of young children or those with special needs: providing proper food; ensuring the child was appropriately dressed for the weather; getting sufficient sleep; keeping them safe.

There were a couple of times then when I wanted to kill him cos I didn't feel he'd looked after her well enough at the weekends when she was with him. She arrived home and you could see that her hair hadn't been dried, and she had just a t-shirt on and it was freezing. Once I rang for some reason and she picked the phone up and he'd gone out shopping and she was like, five, and he'd gone to [supermarket] and left her in the flat on her own. And he was completely caught red-handed, so I went mental with him when I next saw him and I can't remember what the excuse was, I think he'd decided that it would be quicker, he would be able to feed her faster if he went without her rather than getting her ready. So he had nothing, he wasn't prepared for her being there, and you know, I think he used to not feed her til midday, often no breakfast. But then again it's like everything with [father], he knew what he was supposed to do, and he intended to get it right, but he often didn't. (Resident mother)

Others told us they had worried about the child's safety when being driven by the non-resident parent or about unsuitable people to whom the child might be exposed:

Mother: I'm worried that he'll kill 'em. Via driving. He is not the most safest of drivers to be honest. And from the moment they leave 'til the moment they come back I don't sleep. And whether it's just subconscious I don't know. ...[Once] he come bombing down my road with [the children] in the car at 60 miles an hour and put on his brakes and skidded the car and nearly hit somebody. Since that happened it did get quite bad and it was like, 'am I going to have a knock at the door, is it going to be the police telling me they've been involved in an accident'.

Interviewer: Have you still let them go off?

Mother: They do still go but it still plays on my mind, 'am I gonna see my kids again?' The last words I say to them is, 'have a nice time'. And then, am I going to ask them, did they have a nice time, or is that the last words I'm going to say to them. It does play on your mind. (Resident mother)

In that acute period he was house sharing with other people, so there were always other people around as well. So I was probably more concerned that they were coming into contact with strangers, you know. And the type of the job that I do, well they hadn't been [criminal records checked], they could have been... I was more concerned about that, the people on the periphery really. (Resident mother)

A few said they were worried that the non-resident parent was not very sensitive, or not tuned in to the child's needs:

Interviewer: If she did want to go and stay at her dad's, how would you feel about that?

Mother: I don't know. I don't know if I'd be able to sleep myself

Interviewer: Really? Why would you be worried?

Mother: Just, just the way he is with her.

Interviewer: What, that he wouldn't look after her properly or he wouldn't be very nice to her, or, what do you mean?

Mother: In case he were winding her up, tormenting her, you know, teasing her. He does that a lot.

Interviewer: And he doesn't know when to stop?

Mother: That's it, yeah. (Resident mother)

Mother: He's not the worst father, but he's not the best father either.

Interviewer: What were your concerns?

Mother: That he wouldn't look after him the way I would. At the end of the day the way I look at it, whether I'm wrong, they were with me 24/7. I knew what they wanted, I knew how they liked stuff, I knew their routine, and it's so hard to get that across to somebody who's only seeing them once a week. He's like 36 going on 15. That's what worries me a little bit, that they won't be brought up sensibly when they're in his care. But at the same time what can I do, he's their dad. I just hope that they learn that their dad's stupid and mum is more sensible. (Resident mother)

Such concerns clearly led to some angry words between parents. However there were no instances where resident parents said they had stopped contact because of them, unless they were in the context of serious welfare concerns.

Children's concerns about care during contact

We asked children if there had been a problem with how their non-resident parent looked after them. Although the parents of some of the children in our sample said they had had serious concerns, most children said there was no problem with the way their non-resident parent cared for them.

I like the way that dad looks after me…he always plays with me. (Boy, aged 8-10)

He does what a normal parent does, tells us what we have to do and that. (Girl, aged 8-10)

Food was the most common issue children mentioned in response to this question – several thought that their contact parent could have given them better meals.

None of the children told us about any serious situation where they felt at present that the non-resident parent was not looking after them properly or was exposing them to risk,

although a couple mentioned there had been problems in the past. In one family, the child described previous violence towards his sibling from his contact parent's new partner. Another told us how her mother had been worried in the past about her father's drinking;

> *Interviewer: But when you were really small he didn't take you out at weekends?*
>
> *Child: It was because he was drinking a lot then and my mum was worried that he might take me in the car when he's been drinking and drive with me.*
>
> *Interviewer: And is he OK now, does he still have that problem?*
>
> *Child: No, he doesn't have that problem. (Girl, aged 8-10)*

Chapter 12 contrasts the interviews with children and parents in the same family – concern about welfare is not the only area where the interviews differed significantly.

Concerns about the care of the child when with the resident parent

Clearly, when resident parents have concerns about the care their children may receive when with the non-resident parent, this is likely to have direct ramifications for contact. When the issue is the care the children are receiving in the resident parent's home, however, the impact is less tangible, with the main effect being on the parental relationship.

As we noted in a Chapter 9 it was not unusual for non-resident parents to have some concerns about the way the other parent's new partner treated their children and for 'words' to be exchanged. Indeed in one case the non-resident father took the matter further.

> *I reported them to my solicitor and my solicitor said 'well look, you know, you can report them to social services'. So I did. And anyway, social services got in touch, somebody called round I think, and on the back of that because they were investigating him he threatened to throw them all out. So it all went a bit pear shaped in the early days. (Non-resident father)*

In the main, however, the concerns expressed by non-resident parents did not involve 'serious' welfare issues, rather, they felt the upbringing their child was receiving was not up to the standard they wanted.

> *They have quite a few problems there. The children don't think it's problems, the children think it's an everyday way of life. [But] it's not a way of life I like the children to be brought up in. They're not in danger or anything like that, it's just that it's not ideal I don't think sometimes. (Non-resident father)*

> *I just don't like the way she does things; she ain't bringing them up the way I would bring them up. I can't put my finger on it, I can't give you any examples. (Non-resident father)*

As can be seen from this last quote, those who did have concerns could not always articulate what it was they did not like. Of those who could, their worries included the other parent's failure to protect the children from the bullying behaviour of a new partner, irregular school attendance, poor clothing or diet:

> *The kids would come at the weekend and you know, you couldn't see what [my] money had been spent on. Clothing-wise. Literally, standing in their old clothes, coming in old clothes, holes in their shoes. (Non-resident father)*

> *My main concern was she was a very poor eater and I always wanted to know what they'd had for dinner and generally it was a pot noodle or something like that. I'm a chef and that's not something I agree with, especially for children who need a good diet when they're developing. (Non-resident father)*

Usually the non-resident parent's response to these perceived difficulties was to 'speak to' the other parent (which often led to angry interchanges) or sometimes to comment directly to the child (which could have the same effect when the child repeated it):

Father: The only thing that we've fallen out about, like I say, is [my son] turns up without laces in his shoes, you look in his log at school, he's not got a rugby shirt that he should have, things like that goes on quite a lot. He didn't have school shoes at one point, he took a pair of trainers from here. I get annoyed about that, like I say I pay about £200 more than I should pay in maintenance, always have done, always will do, to make sure that the children are provided for. And mum's bought a cat for £300.

Interviewer: So then are you on the phone, or...

Father: No, again, it comes back through the children, 'you said to [child] this, you said to Daddy that'. (Non-resident father)

One father, who was concerned about the sort of 'example' being set for his son, said he had persuaded mother to let the child stay with him more:

It actually got to the point where he needed I think, some, I think the right word would be more of a role model in his life because he didn't have that with the type of people that she's involved with. So he's starting to learn all the wrong things in life really, and he needed to straighten up a little bit. So I actually had a conversation with his mum about it and said look I want him to stay here more. So he would stay with me for half the week and then go back. (Non-resident father)

Another said he was going to have to take up the issue of his children's poor school attendance directly with the school, but anticipated this would worsen his already conflicted relationship with the mother:

I can't see [our relationship] improving drastically within the next few months because I'm going to force the school to look into the amount of time my kids are having off school, which is going to upset her when she finds out it was me that forced the school to do it. (Non-resident father)

Fears that the child would not be returned

Several resident parents said that at some point they had been fearful that the child would not be returned from contact.

Mother: I used to worry that he was going to persuade [child] to take the passports and they were going to run off somewhere, do you know what I mean. I used to worry about that. And I know that sounds really silly but I did used to keep the passports away, hid them.

Interviewer: Did anything ever happen to make you think he might do that, or was it just something you'd read?

Mother: Well no, that was when he was going through his obsession stage of wanting to have the children live with him and everything, even though it was impossible for him to do it anyway, and he admitted it, he admitted it himself. (Resident mother)

In fact in one case the child had actually been snatched from the mother in the street and was only returned with the intervention of the police:

I was walking up to my friend's house with [child] in the pram, he were about 18 months old when we split and [father] snatched the pram off me, took it into his mother's house and then came back and said 'what you going to do about that?' We'd been separated for about a month. I'd never stopped him; if he came down and said can I see [child] I'd let him take him; that were the first time we had any issue. And he did it to spite me, to get back at me when I were genuinely innocent, I'd done nowt wrong. I went straight up to my friend's house and phoned the police because I didn't want to get involved in any altercations, [my son] was upset enough as it was, and [father] had been violent in the past so I didn't want to be fighting with him out in the street. [The police came] straightaway. And within an hour he were returned to me. (Resident mother)

Typically these fears arose in the early months after separation and were transitory. No-one reported having to take legal action. Although the mother cited above had, on the advice of the police, gone to see a solicitor, she did so in order to get the contact arrangements formalised rather than to prevent a repetition.

There was one non-resident father who said that his ex-partner had feared the child would not be returned. He faced more serious and prolonged problems, probably because the mother and the children lived in another country, but after several years of only telephone contact visiting contact had been restored.

Only one non-resident parent, whose ex-wife's new partner was a foreign national, said he had ever had concerns about abduction. The mother was proposing to take the children for an extended holiday so they could all meet her new partner's extended family. The father, who was anxious that they would never be returned, refused to let the children be taken out of the country.

Concerns about adult to adult violence

Several resident parents, and one non-resident, said they had concerns about their own safety at some point since separation. A few non-resident parents also admitted being violent, either to the resident parent's new partner, or, in one case to the resident parent.

Most of the resident parents who had concerns had experienced physical violence from the other parent prior to separation. The extent and severity of this varied, although, if anything, it seemed to us that this was rather downplayed and that in some cases it had been both chronic and serious:

> *Mother: I did get smacked around a little bit. It wasn't really bad. It wasn't like people say 'I've been in hospital' it was just now and again he'd punch me. I say a punch, it wasn't like a big punch. Now and again he would grab me and shove me into a wall or something. It wasn't dramatically bad but it was bad enough.*
>
> *Interviewer: Was he like that through your relationship?*
>
> *Mother: No. It was only when [my daughter] was born. We were fine but about a month after she was born that's when he started getting violent. (Resident mother)*

> *Interviewer: Was he violent throughout your relationship?*
>
> *Mother: Yes. He was alright for about six months then....*
>
> *Interviewer: How long did the relationship go on?*
>
> *Mother: About four and a half years. ... He fractured my foot, I think that was the worse thing he ever did. I didn't go to hospital with that until after I'd left him because he wouldn't let me; I learnt later that he'd fractured my foot. He smashed me house up a few times; he's had a knife up to my throat as well. (Resident mother)*

Understandably, such experiences left parents with a legacy of fear.

> *I was just sort of terrified really. (Resident mother)*

> *He's quite a bully really, you know. He's quite a big bloke, he's like six foot three, and he's always, I mean once he was aggressive with me, physically aggressive in our relationship, but [now] he's just verbally aggressive I think. He does scare he does. (Resident mother)*

Only two resident parents gave an account from which it was unambiguously clear that there had been physical violence against them by their ex-partner post-separation:

> *Even though I'd ended the relationship a month before she was born, I was taking her to see him about three or four times a week maybe, when she was tiny. But he was still violent so that had to stop. I pressed charges and he did go to prison. And then when he got out, his licence meant that he wasn't actually allowed to see me. (Resident mother)*

However most of the others who had been worried about their own safety also described harassment, verbal abuse or aggressive behaviour post-separation. For example:

> *Interviewer: He'd been violent to you, quite seriously violent, during your relationship. Was there any violence after you separated?*

Mother: He broke in once, smashed my bedroom up and left me a little note telling me what he were going to do to me.

Interviewer: So that was quite scary, that period?

Mother: Yeah, because I didn't think he could get in the house and obviously he could. But he didn't do anything like that again, it were just sort of verbal in the street. He'd still shout and bawl every time I saw him and start shouting at me and showing me up in the street. I never engaged in any arguments with him, I just carried on and let him argue with himself. Once I think, he were in the middle of a fight with somebody else and I happened to be walking by and got a kick. It could have been anybody. He once come after me with a petrol can but somebody bigger than him told him to give over. And then he came down to the house wi' petrol can and threw it through the window. (Resident mother)

The most striking point about the cases in which resident parents reported they had been fearful of the other parent at some point post-separation was that at the time we conducted our interviews contact was currently taking place in every one. Moreover, even though there was often an initial period after separation where there was no contact between non-resident parent and child, typically arrangements were put in place quite quickly. So even though resident parents were fearful of the other parent, they did not see this as a reason to try and cut that parent out of the children's lives. Nor did they see the other parent as presenting a direct risk to the child, it was more a question of not wanting the children to be caught up in any violence or unpleasantness, as some of them had been in the past:

Mother: I wouldn't allow [father] in the house. Because every time we spoke to each other all we did was argue and I didn't think it was nice for [child] to be around that issue because of what happened previously. He used to knock me around a little bit. So she'd still got that in her head a little bit.

Interviewer: Did she see that?

Mother: Yes, now and again. (Resident mother)

Mother: I did have to take an injunction out on him. Right at the beginning. When [new partner] and I first got together. Cos he came round here and really went berserk and there was a serious fight. And then he went off and got his friends out of the pub and they all came back tooled up. So I had to phone the police and put an injunction on him then.

Interviewer: So was that an injunction against him coming here?

Mother: Yes, because of what he did in front of her.

Interviewer: And how long did that last for then?

Mother: It was only a few months because he behaved himself. (Resident mother)

It was also notable that these fears were being expressed in a sample which was chosen because parents had not used the family courts to deal with contact, although, like the mother above, a few resident parents had obtained non-molestation orders to provide temporary protection, Nor did parents seem to have thought of using the courts. They were, therefore, relying on their own resources. Protective strategies usually involved another member of the family supervising contact and/or doing the handover for a period. Indeed in one case, (where the father had served a prison sentence for assault) this was still happening and was likely to continue for the foreseeable future.

On the whole resident parents did not report that they were still afraid of the other parent. Indeed some told us that they had a new-found confidence in themselves and their ability to stand up to their ex, should this prove necessary:

Interviewer: it sounds as if you're not frightened of him any more.

Mother: I'm not. I think that's why he doesn't bother shouting and bawling at me. There come to a stage where I thought I'm not frightened, you can't hurt me, because I'll call the police and have you arrested. He's got no hold over me any more. If he wants to talk to me via text messages that's fine. I can delete it, I don't even have to read it.

Interviewer: Are they abusive.

Mother: There's a lot of swearing in them and ranting but I think it is just a rant. I'm not scared of him anymore; I don't think he would come down and do anything. I know he wouldn't, he's got too much to lose. Because I've been very patient with him until now. (Resident mother)

Summary

Findings from the national survey

Concerns about the other parent's care of the child were voiced by a substantial minority of both resident and non-resident parents. Some of these involved serious welfare issues: drug or alcohol abuse, mental health problems, and child abuse.

Resident parents reported such concerns in ten per cent of cases where the child was still having contact; 36 per cent of those where contact had ever been stopped and nine per cent of those where contact had now ceased. Substantial contact could be taking place even where there were current welfare concerns although not all resident parents were comfortable with this. Such contact was rarely supervised.

Nine per cent of non-resident parents with current contact also said they had been concerned about at least one serious welfare issue while the child was with the other parent.

Concerns which appeared to be less grave but could nonetheless have serious implications for the child included lack of routine; not looking after the children properly; the child mixing with 'unsuitable people' and being too harsh with the child, although the most common complaint was badmouthing (dealt with in the previous chapter).

Ten per cent of resident parents whose child was currently having contact said they had had fears at some point about their own safety, as did 19 per cent of those who said they had stopped contact more than occasionally. Two per cent said it was currently affecting contact or causing it to be suspended.

Three per cent of all non-resident parents with current contact said they had had fears about their own safety although none said this had ever caused contact to be suspended.

Findings from the in-depth interviews

Most of the resident parents participating in in-depth interviews said they had had concerns, at some point, about the care of the child when with the other parent, half of which involved serious welfare issues. In most cases contact had never stopped; protective measures had been put in place by the family without the involvement of outsiders. In the main, earlier concerns had been resolved, or become less worrying. None of the children interviewed reported any serious current concerns about their treatment when with the non-resident parent.

Other concerns voiced by resident parents ranged from provision for the child's basic needs, anxieties about driving, being around unsuitable people, and lack of sensitivity.

A few non-resident parents also expressed concerns about the care of the child when with the resident parent. Typically these involved criticism of the standard of care (diet, clothing, school attendance) although a few verged on serious welfare concerns, usually about the behaviour of the other parent's new partner. Parents usually dealt with these matters themselves; only one had made a referral to social services.

In addition to concerns about the care of the child when with the other parent, some parents had fears that the child would not be returned to them, and in one the child had actually been snatched. Typically these fears were short-lived although one non-resident fathers had faced a lengthy battle to get contact because of them.

Several of the parents interviewed said they had had concerns about their own safety at some point since the separation. Most of the parents with concerns had experienced physical violence prior to separation which left a legacy of fear. While only a few had suffered physical assaults post-separation,, most described harassment, verbal abuse or aggressive behaviour. However they did not see this as a reason to stop contact and usually protective strategies were put in place quickly, typically involving family members doing the handovers or supervising contact.

Chapter 11: Money and maintenance

This chapter looks in detail at the role which money plays in children's contact. At present, if the Child Support Agency (CSA) is used to calculate the non-resident parent's child maintenance liabilities, the amount payable decreases when the non-resident parent cares for the child for more than one night per week. Other researchers have reported finding that separated parents often believe that maintenance and contact are linked and that many parents believe it is acceptable to withhold contact if child maintenance is not paid and vice versa (see for example, Ferri and Smith, 1997; Maclean and Eekelaar, 1997; Bradshaw *et al*, 1999; Wikeley, 2001; Trinder *et al*, 2002).

Findings from the national survey

The national survey found that although arguments about child maintenance was the most common problem reported, it was quite unusual for maintenance disputes to affect contact. Where contact was taking place, 41 per cent of resident and 34 per cent of non-resident parents said there had been disputes about child support payments since separation but only seven per cent of resident parents and 13 per cent of non-resident parents said that contact had been affected by this problem. Maintenance disputes were relatively 'low risk' in that if they occurred, they were less likely to have an effect on contact than most other problems (see pages 67-73 of Peacey and Hunt 2008, the full report of the survey). Similarly, in families where there was no contact at all, just seven per cent of resident parents (and none of the non-resident parents) said that a dispute about child support payments was one of the reasons behind the lack of contact.

Findings from the in-depth interviews

In the families who took part in the in-depth interviews, there were some cases where the maintenance liability had been reduced because of the amount of contact but this did not seem to have caused significant problems or arguments in the interviewed sample. However, our interviews with parents produced some interesting insights into how financial matters did affect the lives of parents and children.

Most of our in-depth interviews included some discussion of the topic of child maintenance. About half of the resident mothers we interviewed said that maintenance was being paid more or less regularly. Most of the non-resident parents said they paid maintenance, two said they did not, one said they had tried but their ex-partner refused to accept it and another said his payments were intermittent.

Many resident parents who did not receive maintenance felt that their child's welfare and their own welfare were directly affected – it may seem obvious but it is important to point out that the money would have made a significant difference to these families' lives.

> *It has meant, it has caused us hardship. You know, if you imagine somebody saying to you, right I'm going to take away £225 a month away from you, net, every month, and you work that out over two and a half years, it has meant that because I don't earn enough to pay, to keep this place on my own, I've had to use what was my money from the house, equity that I've had from the house, just to live on. So, I think, the CSA worked it out as somewhere round about six thousand pounds that I should have been paid in that time. (Resident mother)*

> *He won't offer to [help out with money] cos he knows I can cope and he knows [child] will come first. And this is what really hurts me. ... But it's me who does without and he knows it's me, like most single mums do, I'll go to the charity shop and get my clothes but I can't for [child], but he's not bothered, as long as his son's alright he knows I'm coping. And I'm angry,*

I'm still really frustrated and angry about that. (Resident mother)

Do parents exchange contact for maintenance?

There is considerable research which shows that, in the UK, there is a connection between payment of maintenance and whether the child sees their non-resident parent (see for example Bradshaw *et al*, 1999; Davis and Wikeley, 2002) with some research indicating that parents themselves see the two issues as connected (Smart *et al*, 2005). We were therefore interested in talking to parents about whether they saw maintenance and contact as interrelated, or as separate issues.

Somewhat to our surprise, very few non-resident parents (and none of the resident parents) said that any attempt had been made to make contact conditional upon payment of child maintenance.

> *Interviewer: Did that get in the way of contact at all, the fact that you were arguing over money?*
>
> *Father: She was using that as an argument for contact to kids.*
>
> *Interviewer: So she was saying if you give me what I want about money, you can have what you want in the way of contact?*
>
> *Father: Yes. (Non-resident father)*

> *Father: And she knows how much I love [child], so I think she uses that really as a tool against me.*
>
> *Interviewer: Because she thinks that if she withholds seeing [child] then you will – how does she use it as a tool against you, I don't really see what you mean?*
>
> *Father: Because, for things, money-wise, things like that. Because she knows I want to see him and be with him so she knows she can make my life horrible by withholding or making it difficult for me to see [child]. (Non-resident father)*

It was more common to find that parents – resident and non-resident – thought that children's contact ought to be entirely separate from maintenance and that it was not acceptable to deny contact because maintenance was not paid.

> *And the thing was, he said to me, on the visit before last when he had her, he said to me, 'well I'll tell you what I'll do, if I don't give you the £20 when I see her I won't take her'. And I went, 'well hang on a minute. She's not up for sale, this isn't a bargain, you know! It's like, I'd rather you have her'. That's all I want is for her to be able to see her Dad. I couldn't really give a stuff about the money. ... It's just about her. That's all it is. (Resident mother)*

Money as a cause of bad feeling between parents

Many of the parents we interviewed, particularly non-resident fathers, said that there had been arguments over child maintenance at some point. It was often hard to judge how serious the arguments had been, especially where the issue was largely in the past, but for some parents money was a cause of fairly low-level or occasional irritation or tension rather than a serious issue:

> *Yeah, we've had arguments over money. He once rung me and asked me to go halves on a birthday present for her. When I got over laughing. And he says to me 'what are you laughing at?' I says 'you're joking aren't you? I've just paid £200 for her to go on a school trip, and I asked you for £20 deposit, and we're still waiting for you to come up and bring it over.' ... Well I never mention money to him now, but he should be paying me money. (Resident mother)*

> *The only thing that we've fallen out about, like I say, is [child] turns up without laces in his shoes, you look in his log at school, he's not got a rugby shirt that he should have, things like that goes on quite a lot. He didn't have school shoes at one point, he took a pair of trainers from here. I get annoyed about that, like I say I pay more than I should pay in maintenance, always have done, always will do, to make sure that the children are provided for. (Non-resident father)*

In other cases, however, disputes about child maintenance had been more serious.

[If I ask for money] sometimes he'll lose his temper at first, he'll be like, 'I pay you three hundred quid what do you do with that?'... At first he did mention that when they were 16 he'd stop paying. I said 'I don't think so, I said I think you have to pay while they're in full time education'. But because it's an arrangement just between the two of us he lost his temper at first but then he did come around to that afterwards. Pretended he hadn't said it in the first place. (Resident mother)

So you know, we had a really tough time with the maintenance thing and you know, she went to the CSA when there was absolutely no need to do that whatsoever cos we had a very good arrangement.... When she took me to the CSA, and she did it on purpose because she knew how much I was earning, she knew she could screw me for as much money as she possibly could and I was earning a lot of money. (Non-resident father)

Several parents (resident and non-resident) said that there had been serious arguments about maintenance during and shortly after separation. This seems to have been part of the angry disputes which accompany separation for so many parents – in these families arguments about maintenance were just part of the wider hostility at the time, rather than a primary cause of bad feeling.

We were arguing virtually non-stop until that point, about everything. (Non-resident father)

Where non-resident parents reported bad feeling around maintenance, it was sometimes linked to a belief that maintenance payments were too high and causing them unfair hardship (see below). Others said that friction was caused by concerns that the money they were paying was not benefiting the children, but rather that it was being used to subsidise the resident parent's lifestyle. One of the quotes above was from a father who reported arguments about how the money was being spent, and there were several others where the same issue had caused irritation or tension:

I'm paying for her champagne. I'm not paying for [child] he's in cheap clothes and you know, it's just bizarre. ... I just think it's wrong. And it's a kind of bad joke. It's a source of irritation, not tension, on my part. And certainly I wish that the payments I made for [child] could be in sort of vouchers. I'm more than happy to do it. Cos at the end of the day it's for him, but if it's funding a holiday for mum I'm annoyed. And it has done. (Non-resident father)

Similarly, resident parents resented it where they thought that their ex-partner was substantially better-off than them, but was not paying much or even any maintenance.

Interviewer: Do you get maintenance?

Mother: Yes, yes. Not a lot. That's been a source of argument, when I asked for more he's like well 'I have bills to pay'. I said, 'so do I and you earn more money than what I do and I have [the children] to bring up, school uniforms to pay for, and shoes, and this that and the other, so I want more money.' ... I'd ask him for help with them and 'I can't afford this and I can't afford that'. But no, he can afford to go and buy money on a new computer or this that and the other. (Resident mother]

Several resident parents said that money arguments or bad feeling arose when they felt that a lack of maintenance (or low amounts) led to the child missing out.

I would ask him, he would say 'I haven't got it', I would have a bit of a tiffle at him, say 'your daughter needs nappies, she can't live in tea-towels'. (Resident mother)

I wanted them to stay in the same [private] school. Now if I'd have known he wasn't going to pay from 11 plus, I would possibly have taken them out of that school and put them in a normal, a state school. But I just assumed that he would continue paying, it didn't cross my mind that he wouldn't. (Resident mother)

Why do some resident parents not pursue child maintenance?

The resident parents who were not getting regular maintenance had some interesting things to say about money. Some had tried to get maintenance in the past, failed, and were

now resigned to it:

> *Mother: I think, the CSA worked it out as somewhere round about six thousand pounds that I should have been paid in that time.*
>
> *Interviewer: They are trying to pursue it for you, or?*
>
> *Mother: Yes, but they won't get anywhere. It's not going to get anywhere ... I mean it was their decision to take it to court, it was taken out of my hands. And I said, well do what you want to do, you know. ... No, as far as I'm concerned that money's dead and gone. (Resident mother)*

Two said they were reluctant to pursue maintenance because they had achieved a fairly stable and civil relationship with their ex-partner and did not want to jeopardise it:

> *Yes, it would be nice to have things easier and to be able to go out and buy them things but it's another one of those, I've tried and sometimes I just think I can't be bothered, I can manage to get the things I need to get for them. I did threaten a couple of times if you don't start giving me more money I'm going to take you to court and that's when he bought them a few things. But sometimes I just can't be bothered with the hassle, I just think I'm OK. We had enough arguments to get to where we are now, let alone starting that again with the money, so leave it. (Resident mother)*

Another was in a similar situation but although she had been reluctant to ask for maintenance in the past, felt that she was soon going to have to risk asking about money:

> *Mother: The only thing we ever have a problem with is money. But it hasn't become a problem cos I've not really challenged him about it, I'm not one to sit here and go 'oh he never gives me any money, uhhhh,' even though he's working and this that and the other. But we've not actually had a set to. Cos she's starting high school this year, she's going to need uniforms and everything's quite expensive, so I am going to have to ask him, it's a subject I'll have to broach quite soon. See how that goes.*
>
> *Interviewer: Is that something that you think is going to cause arguments?*
>
> *Mother: It might. ... And he does work, you know, and he doesn't give me anything cos I do not know if he tells them [the authorities] he works or what. Need to get to the bottom of that. (Resident mother)*

Some thought that there was no point attempting to get formal maintenance because their ex-partner was in a poor financial position:

> *And I suppose I felt that, I knew that a lot of the times on the dole he does struggle. I mean, with both of them [children have different fathers], if they've both got good jobs and I felt that they can afford to pay me I would probably go for it, but you can't always get blood out of a stone can you. I think that with both of them. They both do do their bit. Yeah. So I kind of, left it. (Resident mother)*

And some did not want maintenance because they prided themselves on their independence, or because they felt it just wasn't important.

> *It'd grieve me to ask him [for money]. I'd rather know that I've looked after her. (Resident mother)*

> *It doesn't matter that he don't give me any money. I just don't care. Cos that just causes so much friction I think, if you have parents who've separated and it's all about the money. What about the child? That's what I find hard. I've seen it with friends, that battling, well you're not having so-and-so because you don't give me any money. Well what about the child? ... Yeah it would be nice to have some money but that doesn't happen but she's happy, so isn't that all that matters? (Resident mother)*

This mother was unique in our sample, in that she was actually financially better off immediately after separation (having been subjected to financial abuse, as well as other abuse, in her relationship). She was also the only resident parent who had been unaware that there was a service which might be able to help her secure child maintenance.

> *Interviewer: You said he'd never paid child support?*
>
> *Mother: No. I've just discovered a marvellous site on the internet, the CSA site, so I've just put a claim in now. Whether I'll get anything I don't know. …*

Interviewer: But you've never thought of doing that before.

Mother: I didn't know how to go about it. I've never had any leaflets, I didn't know where to go to find out about it. My friend said, there's this site on the internet so I went in.

Interviewer: How did you manage financially?

Mother: A lot better because I didn't get any money off him while we were together. He wouldn't let me go to work so I went down to the Social Security place and begged them to give me half the money and him half. I'd got nowt, I' d got no clothes, I were living on hand-me-downs, I even had a pair of glasses that weren't mine. I had to have his grandma's glasses because I couldn't afford my own. So basically I were a lot better off [after the separation] because I'd got money. (Resident mother)

It was quite common for resident parents to say that they received some maintenance 'in kind', while several non-resident parents also pointed this out. This included paying for children's clothing and helping towards school costs and holidays, as well as spending money on the child during contact visits.

How do financial disputes affect children, and contact?

While most parents felt that financial matters did not generally affect contact directly, one important finding was that, in many families, children had become directly involved in discussions about money. Many parents were unable to keep money arguments or negotiations between the adults, and children sometimes took the role of messenger, or, in four cases, asked their non-resident parent directly for money themselves. However while some children succeeded in securing money where the resident parent had failed, it seems likely that, as one mother reported, they would find such direct involvement in their parents' affairs uncomfortable:

It was [child] that rung him herself to ask him about the deposit [for a school trip]. It were the only thing, I didn't have the money and it had to be in that week. And he said he'd be over with it. (Resident mother)

Mother: Probably about three, four years ago the money started getting more irregular and it'd be the kids that'd ask him, I wouldn't ring him up and ask him for the money, or say anything, I'd just moan when it didn't turn up if I was skint. ... The eldest one, she was like, 'no, if dad's agreed to pay £200 a month then he should pay it, why are you paying for everything for us, he should be giving something'. So she'd be the one that'd go to her dad's for the weekend and come back with this money, or £100, £200.

Interviewer: Really? And she got results?

Mother: Yeah. But she'd say, 'mum I wish you'd sort it. Don't make me ask him for the money again.' Well I've never made you ask for the money, I'd rather not have it than ask. But she felt she had to get it, cos she knew that I was probably financially stuck. (Resident mother)

It seems clear from our data that it was fairly common for children to be aware of money matters, while a few had witnessed their parents arguing about money.

Father: Basically, every time she dropped kids off she'd throw a paddy over money.

Interviewer: Were the kids there when the arguments were happening?

Father: Yes. (Non-resident father)

Some parents also suggested that the child's involvement in money issues could affect their opinion of the non-resident parent:

The frustrating thing for me is that you know, she's, she made this comment to (child) the other day about how 'your dad don't pay enough money for you to go to his house in your nice clothes', but I said to her, 'well have you told her about the times when I was paying like, £1100 a month in maintenance for her and her brother?' And it all goes quiet cos there's no parity there whatsoever, it's all, 'I want to make you out to be this unworthy person' all the time. (Non-resident father)

Mother: And I do think [child] has felt it at times because, you know, she feels that that's the sum level of what her dad feels for her.

Interviewer: So she knew that he was paying it and she knew when it stopped?

Mother: Oh yeah, yeah. So. Well she knew cos he used to come round every month with it, that's how it started out, 'have you got my money', 'no I haven't got it, I'll pay you next week'. So. Although you don't measure love by money it does say something doesn't it. (Resident mother)

Children's awareness of issues around money may also affect their view of the resident parent – as in the case quoted above, where the child felt forced into asking her father for money. This resident parent, on the other hand, was worried about how her child might view her if she did pursue child maintenance:

I could be funny and take him to court, but if I did I know for a fact he would make me feel uncomfortable. He will let [child] know, if you know what I mean. (Resident mother)

Although this was not a common complaint, some of the resident parents who were not receiving any maintenance did mention that the non-resident parent was prone to buying expensive gifts for the child. One parent said explicitly that she thought this was an attempt to 'buy the child's love' and all those who mentioned it were frustrated by the impracticability of the gifts, which tended to be luxuries rather than necessities.

I call him a glory hunter, me. I know he's got her a Nintendo Wii for Christmas, so he's going to come up with the big Nintendo Wii and play it the big I-Am. You know. But she needs new school blouses for school. He won't buy her owt she needs, but he'll buy her what he wants to get her. (Resident mother)

Children's interviews did not often touch on money or child maintenance. A couple of children, however, were clear that they did not like being involved with their parents' finances:

Child: Yes like my dad tells my mum that he don't have money and like he goes out and buys new phones and DVDs and like parts for computers.

Interviewer: Does he actually say not to tell her or do you just decide not to?

Child: No he actually tells me not to say.

Interviewer: Do you feel bad keeping a secret?

Child: Yeah.

Interviewer: Do you think it would cause trouble if you told?

Child: Yeah. (Boy, aged 11-13)

Interviewer: What about when dad talks to you about money issues?

Child: Yeah, it's really annoying when he does that because I feel 'Please don't talk to me about this. I'm not the person you should be speaking to'. It was mostly when I was nine, ten, eleven and I was thinking 'I'm young, dad, I think £10 is a lot of money at the moment. Can we not talk about how much you give mum or whatever?' I know there's a lot of stuff which mum doesn't tell me and I don't want to know because it's about money and stuff about me. But that's fine because I know that I don't need to know. But dad always tries to make sure that I know that he's buying me everything that I've got. (Girl, aged 11-13)

Non-resident parents' views on maintenance and contact

The analysis above focuses largely on resident parents' experiences. Nearly all of the non-resident parents who discussed child maintenance (all fathers) said that they paid it, and some of these fathers mentioned that financial contributions were part of being a 'good dad' to the child.

I've never had a problem, incidentally, with paying for the boys, for the kids, cos at the end of the day I'd have to look after the boys financially if they'd lived with me, if the relationship hadn't split, broken up. So that wasn't an issue. (Non-resident father)

It was quite common, however, for fathers to wonder if the child support they were paying was actually being spent on the children, and, as noted above, this could cause arguments

between parents. Not all of the non-resident parents who paid maintenance were doing so through the Child Support Agency. But where they were, some had considerable concern about the amount demanded, and numerous complaints about the workings of the CSA. Two fathers said that the CSA had calculated their maintenance liability to be so high that it was not worth carrying on in work. Obviously this would have been a poor outcome for everyone, including the children who would be missing out on any maintenance at all.

> *They wanted £700 a month off me, plus £100 on some of the arrears. And basically I turned around and said if you take all that off me I'm going to quit my job because I'm better off on the dole. I worked it out that I was £20 a week worse off working. (Non-resident father)*

> *Father: The dreaded CSA were pounding me, and still are, you know. So they were taking a large chunk of money off me, and that was really, it got to the situation at one point in the early days where I nearly had to give up work because I couldn't afford to go to work.*
>
> *Interviewer: Because it was all just going straight to them?*
>
> *Father: Yeah, it was going straight out of my bank account, because it was a detachment [sic] of earnings order. So there was nothing I could do about that, and so, and it was a lot of money, helluva lot of money really, it was two thirds of my income, literally, was going out the door. (Non-resident father)*

In a similar vein, a third father said that he was reluctant to work because he would be barely any better off after paying maintenance, and resented this when the mother was not 'reasonable about things like contact'. Some non-resident fathers pointed out that as well as, or instead of maintenance costs, there were costs associated with contact. This was sometimes felt to be overlooked by the resident parent.

> *When I say I don't pay towards her, when you look round I've got things for her, and when I take her out I buy her things, I buy her clothes, books, take her swimming, take her on holiday. (Non-resident father)*

Similarly, several non-resident fathers were paying maintenance in kind as well, or instead of, direct payments.

> *I haven't paid anything for maintenance. But when things like school uniforms come up, I chip in. They haven't asked for any money recently but um, you know, we agreed some time ago that if they needed a major overhaul of clothing etc I'd chip in, what have you. (Non-resident father)*

It was rare for non-resident parents to discuss how maintenance had impacted on contact or on children other than in the quotes we have already presented, although one father did acknowledge that it had been hard for the other parent to manage financially.

> *With hindsight I can look back and see that she was really struggling, monetary-wise. She always seemed to be on at me or my parents about buying things for the kids and outfitting them for school, all the rest of it, but looking back I suppose I had a bit more available cash than she did. (Non-resident father)*

Summary

Findings from the national survey

Although arguments about child maintenance was the most common problem reported, it was quite unusual for maintenance disputes to affect contact. Maintenance disputes were relatively 'low risk' in that if they occurred, they were less likely to have an effect on contact than most other problems. Money was rarely the reason behind a complete lack of contact: in families where there was no contact at all, just seven per cent of resident parents (and none of the non-resident parents) said that a dispute about child support was one of the reasons.

Findings from the in-depth interviews

In the in-depth interviews, nearly all the non-resident parents said they paid maintenance, but only about half the resident parents said they received child support from the other parent. Those resident parents who were not getting maintenance often commented on how the lack of financial support had affected the family's welfare.

We were surprised that most of the parents we interviewed – resident as well as non-resident – felt that contact and maintenance were distinctly separate issues. It was rare to hear that a resident parent had made contact conditional on maintenance payments and in general both types of parent felt strongly that it was unacceptable to deny contact if maintenance was not paid. Many non-resident parents mentioned that paying maintenance was part of being a 'good dad'.

However, money was a clear cause of bad feeling amongst both types of parent. Non-resident parents often expressed concern that the money they paid did not get spent on the child and worried that they were funding luxuries for the resident parent instead. Some resident parents perceived their ex-partner as mean. If they thought the other parent had money but refused to pay maintenance this led to resentment, although many resident parents accepted that their ex-partner could not afford to help out regularly. Worries about the non-resident parent 'buying the child's love' with expensive gifts were fairly common among resident parents, and this could also lead to resentment and frustration if regular maintenance was not in place.

Resident parents who were not getting maintenance had a range of views about this. Some were resigned to it, some were reluctant to pursue it because they did not want to jeopardise a reasonably civil relationship with the other parent, some realised there was little point chasing money because the other parent was not in a position to contribute, and in some cases payments 'in kind' (buying clothing, or costs incurred during contact visits) was felt to be all the other parent could afford.

Non-resident parents often had complaints about the Child Support Agency and some felt that the amount demanded in payments was far too high. Several pointed out that there were costs associated with contact which were often overlooked, or that they contributed 'in kind' as well as, or instead of, cash payments.

Many parents were unable to keep money arguments or negotiations between the adults, and children sometimes took the role of messenger, or, in several cases, asked the non-resident parent directly for money themselves. However while some children succeeded in securing money where the resident parent had failed, it seems likely that they would find such direct involvement in their parents' affairs uncomfortable. A few parents said that their children had witnessed them arguing over money and some worried about how children's awareness of money issues would affect their opinion of their parents. Where the children we interviewed spoke about money issues, it was clear that they did not like being involved and did not want to keep secrets about money.

Chapter 12: Children's perspectives on contact and problems

Research on children's contact with their non-resident parent sometimes omits a crucial perspective – that of the children concerned. We interviewed twenty children whose resident parent had reported that contact had been affected by problems. We were interested in how children perceived the difficulties and what impact there had been, and also in their feelings about what was necessary for 'good contact' with their non-resident parent. Where we interviewed children, we also interviewed their resident parent separately, and at the end of the chapter we compare the narratives of children and resident parents from the same family. A few of the children interviewed had had their contact decided by the family courts.

When we asked children about contact problems in general terms, without exception they told us they did not have difficulties, their replies being typically along the lines of the quote below:

Interviewer: Do you have problems or difficulties with your arrangements?

Child: No, not really.

Interviewer: Nothing that you find doesn't work?

Child: No.

Interviewer: Have you ever had problems with it?

Child: No.

Interviewer: As far as you're concerned it's always been fine?

Child: Yeah. (Girl, aged 11-13)

Even where children suggested that there may have been contact problems in the past the impression given was that these had been initial difficulties which had usually been sorted out:

Interviewer: Are there any other problems or difficulties with your contact?

Child: Not that I can think of.

Interviewer: Have there ever been any problems?

Child: Yeah, well, I can't think of any. I just know that there are things that were solved [laughs]. I don't really remember!

Interviewer: Do you not remember because you weren't involved or because it was a long time ago?

Child: A long time ago. (Boy, aged 11-13)

When we asked children to rate how happy they were with their contact arrangements, however, it was rare for them to give the top score for satisfaction. This was a useful gateway into exploring what was wrong and what could be better. To explore in more detail the children's experience of contact problems we asked them about specific issues which had emerged from the early interviews with parents or have previously been identified as problematic in previous research (for example, Butler *et al*, 2002; Dunn, 2001; Smart, 2000; Smart, 2001; Trinder *et al*, 2002). The 'checklist' asked children whether there had ever been any problems with any of the following (we asked about either mum or dad, depending on who was the non-resident parent):

- Finding time with your mum/dad boring.
- Feeling that you have to be extra well-behaved when you're with your mum/dad.
- Not wanting to spend time with your mum/dad.
- Wanting to spend more time with your mum/dad.

- Mum/dad not turning up for visits or cancelling at the last minute.
- Getting into arguments with your mum/dad on visits.
- Parents living too far apart.
- Feeling unhappy with how mum/dad looks after you when you're with them.
- Being asked to pass messages between your parents.
- Having to keep secrets from one parent.
- Parents arguing about visits or arguing when you are picked up.
- Mum or dad having a new boyfriend or girlfriend.

Children's responses suggested that overall, if any of these issues was present, it was not usually considered to be very important. Rather they were often described in terms of minor irritations or niggles that were considered an inevitable part of living across two households, although there were some notable exceptions to this, most commonly issues around parents' new partners. Interviews with children often needed some gentle probing to uncover areas which were not ideal for the child.

Children's experience of unreliability

Even where resident parents had indicated that the non-resident parent was frequently unreliable, it was very interesting to find that their children did not usually consider it to be a problem. This child was an exception:

> *But the thing is with my dad that anything he says doesn't normally go. He always says 'We'll do this at this time and this at this time'… But like when we went to [place] we went three hours later than he said we would and left an hour earlier because he realised that he had something to do. (Girl, 11-13)*

Another thought her father was reliable about day-to-day visits. However, she found it disappointing when he let her down about trips away, but she was reluctant to confront him about it:

> *Interviewer: Is he reliable usually?*
>
> *Child: If he says he'll pick us up he will, or drop us off or whatever. But it's more bigger things like holidays. I think he said it last weekend or the weekend before that we could go camping in the half term. But we didn't.*
>
> *Interviewer: Do you pick him up on that and say that he's said it before?*
>
> *Child: No.*
>
> *Interviewer: Why?*
>
> *Child: I don't know. I don't like saying stuff like that to him.*
>
> *Interviewer: Does it matter to you though?*
>
> *Child: It DOES, yes. I'd love to do that. I love being outside and camping and that. But he's really busy and I don't want to say anything. He's busy with work and stuff. (Girl aged 14-17)*

The replies of the children below, however, were more typical, in that they said there had been unreliability but it wasn't really a problem:

> *No he doesn't really cancel things. Only when it's serious like when it was a funeral or when he has to do something that he has to do. (Girl, aged 8-10)*

> *He has cancelled sometimes… once or twice…but most of the time if he can't make it he's just a couple of hours late. He'll tell me if he can't turn up at a certain time or a certain day. (Boy, aged 8-10)*

We explore this in more detail below, comparing the responses of children with that of their resident parent who had reported unreliability.

Children's experiences of conflict

When we asked children whether their parents argued most gave us the impression that even if it had been an issue in the past it was no longer:

> *They're friends with each other now. They both get on each other's nerves, but like in a friendly jokey way. I know they won't ever get back together because I think so much stuff happened between them. But I'm not sure what happened between them and I don't want to know, but I know it did. (Girl, aged 14-17)*

In a few families children's accounts suggested that conflict was still an issue but that most parents had found strategies for avoiding this potential difficulty by limiting their contact with each other:

> *Interviewer: Do your mum and dad argue with each other?*
>
> *Child: No, because he stands at the door. (Girl, aged 8-10)*

> *Interviewer: Do they argue when he drops you off or picks you up?*
>
> *Child: No they don't really speak to each other much. He'll only come in for a minute. (Girl, aged 14-17)*

While such encounters are not ideal some children had clearly got used to a level of ongoing animosity between their parents. As long as the arguments were minor niggles rather than serious confrontation children rarely considered this a problem:

> *Interviewer: Do you ever have a problem with your mum and dad arguing when he comes to pick you up or drop you off?*
>
> *Child: They did really used to argue. My dad used to go off in a strop and then he wouldn't come back and pick us up but now it's fine.*
>
> *Interviewer: How recently has it stopped being a problem?*
>
> *Child: About a couple of years ago cos my mum does start shouting at him some times but it isn't like arguing it's just like 'Why didn't you bring the bag back yesterday?' or stuff like that.*
>
> *Interviewer: Does it upset you?*
>
> *Child: No it doesn't upset me. (Girl, aged 8-10)*

Those few children who had witnessed serious parental conflict, however, had clearly been upset by it and were very concerned to do whatever they could to try and prevent it happening again. One boy, for example, described a difficult situation between his parents which had clearly made him unhappy:

> *Interviewer: Are they good at sorting arrangements out for you?*
>
> *Child: Not really, because most of the time my dad thinks that it's my mum telling me not to go, so sometimes they argue.*
>
> *Interviewer: You didn't want to go but dad thought it was mum who didn't want you to go?*
>
> *Child: Yes cos once I didn't want to sleep at all and I never went.*
>
> *Interviewer: How did you feel about mum and dad arguing about that?*
>
> *Child: First, [I said] 'Stop'... I ran upstairs because I was scared and they were swearing. They were shouting and my dad were punching wall and that. [It was] about last year or year before that. I were only a whipper-snapper, about six or seven.*
>
> *Interviewer: What did that make you feel?*
>
> *Child: Sad, because I don't like it when people argue…like something's going on that's not meant to be, like they've got little wars in their heads. (Boy, aged 8-10)*

Children's concern for parents' feelings

This theme came up frequently in interviews with children, who were often very sensitive to their parents' feelings. Several referred to their reluctance to talk to their non-resident parent about problems with contact because they did not want to upset them.

> *Interviewer: Do you feel you can always say if you're not happy about things or does anything stop you?*
>
> *Child: I'd probably feel guilty but I would say and we'd sort of try and do it half and half. So if we didn't want to go for a full day we'd maybe go for a couple of hours so it was fair on dad.*
>
> *Interviewer: What might you feel guilty about?*
>
> *Child: If it was going over his house and I didn't really feel I wanted to go I'd feel guilty because he's asked us to go and see him and he obviously wants to see us. I'd feel a little bit guilty but we'd work it out I think. (Girl, aged 14-17)*

> *Child: And maybe sometimes I'll see him for two weekends in a row just to settle everything out but he does tend to make me feel a little bit guilty. He normally says 'Well I only see you for 25 weeks and now I'm only seeing you for 24' and he makes me feel a bit bad and I don't really like it when he does that.*
>
> *[later in interview]*
>
> *Interviewer: If you don't like [decisions about contact] do you feel you can say to mum?*
>
> *Child: Yes*
>
> *Interviewer: What about your dad?*
>
> *Child: No cos most of the time it's involving him and I feel if I say, 'This isn't fair. I didn't want to do this with you', he'd get a bit upset, so more with my mum. (Girl, aged 11-13)*

Keeping secrets and carrying messages

We asked about problems which involved both parents, including keeping secrets from one or other parent and carrying messages between parents. Most children said either that the matter had not arisen or that they had no problem with it.

> *Child: We've never really had any secrets to tell but I'd have to tell because I'm not very good at keeping secrets, I just feel guilty.*
>
> *Interviewer: Do you have to carry messages between your parents?*
>
> *Child: Not very often, only if mum wants to borrow something but nothing major. (Girl, aged 14-17)*

For most children having to take messages between their parents seemed to be seen as an inevitable and acceptable part of parenting across households. Even when messages were about the potentially thorny subject of money children did not feel it was a major problem.

> *No I think it was just simple messages like 'Tell your mum I'll give her the money for you on Tuesday'. Nothing serious, that's the only sort of messages. (Girl, aged 14-17)*

> *Child: Well only like if my mum wants some money, she'll say 'Can you ask your dad if I can have some money to buy you new clothes', or something like that. Then my dad will just like give me a tenner or something.*
>
> *Interviewer: You don't mind doing that?*
>
> *Child: No not really. (Boy, aged 14-17)*

However there were a few children who said they had kept secrets either because they had had been asked to do so, or understood that one parent thought it would be better not to say anything to the other. One child told us he had felt uncomfortable about keeping quiet, although a second thought that it was better all round if he did keep the secrets.

Child: Like my dad tells my mum that he don't have money and he goes out and buys new phones and DVDs and like parts for computers.

Interviewer: Does he actually say not to tell her or do you just decide not to?

Child: No he actually tells me not to say. I don't really think that I should tell.

Interviewer: Do you feel bad keeping a secret?

Child: Yeah.

Interviewer: Do you think it would cause trouble if you told?

Child: Yeah. (Boy, aged 11-13)

Interviewer: Do you feel you have to keep secrets from either of them?

Child: Yeah like me dad tells me summat and I'm not allowed to go tell mum because it could cause arguments. And the same with me mum.

Interviewer: How do you feel about that?

Child: I don't really mind because as long as I know it's not going to cause arguments I'd be alright about it, because they're not going to argue.

Interviewer: So you'd keep quiet just to stop there being an argument?

Child: Yeah. (Boy, aged 14-17)

Boredom

As part of the checklist of potential issues, we asked children if they ever found contact time boring. While some denied they were ever bored many agreed that it could sometimes be dull, saying that it was more fun if contact time did not have to be shared with new partners or new children. Several mentioned that they got bored if contact visits just entailed staying in the house, or if their non-resident parent did not have time to spend with them. For most children it was not a serious problem, but a few children said it had put them off contact a little.

Most of the time I just look after [half-brother] and watch telly when I'm in the house which is really really boring because I say 'Can we go out shopping or for a walk?'. And he's like 'Wait half an hour'. And half an hour later 'Wait I just need to make this one phone call it'll be two minutes' and it's like an hour later… And by the end well I've got to come home because it's usually Sunday. ... I feel that most of the time, sometimes, I'm really wasting my time there. My friends say 'Do you want to come to the cinema with me?', 'No, I'm going to my dad's next weekend'. I feel I should have said 'Yeah, OK, I'll come'. I do find a lot of the time it can be really really boring. (Girl, aged 11-13).

Some children, such as the ones quoted below, felt they could control the situation for themselves:

Sometimes, like when he don't do owt with me and stuff. I try saying I'm hungry, cos he'll take us out for a meal. And he'll probably take us somewhere where we can have fun like Wacky Warehouse. (Boy, aged 8-10)

If I'm bored I go and see my cousins. And usually me and my cousins we go onto the beach or something and play on the beach. (Girl, aged 8-10)

New relationships – children's feelings about new partners

At the point we interviewed the children on average parents had been living apart for over six years. It is not surprising, therefore, that all of the children had to deal with their non-resident parent having a new partner at some point. Indeed, when we spoke to them 15 children had a non-resident parent in a relationship and five had at least one half-sibling. In six cases new partners had children from a previous relationship although most interviewees seemed to have limited contact with these children.

Although few children discussed the idea of new partners in general, where they did, they did not say they objected to new partners in principle:

> *I think relationships are generally good for people. (Boy, aged 14-17)*

> *Interviewer: Do you have any views on dad having a girlfriend?*
>
> *Child: I'd rather he had some one.*
>
> *Interviewer: Why's that?*
>
> *Child: I don't know. I just feel like that, I don't really know why. (Boy, aged 14-17)*

In practice, however, it was rare for children to like their non-resident parents' new partners. For instance, the boy who said above that he would rather his father had a girlfriend, told us how much he had disliked one particular girlfriend, although he said elsewhere that he had got on all right with another one.

> *I used to go out with one of them but the more I went out with her the less I liked her. She just annoyed me. I didn't really like her at all because she'd just do stuff that I didn't really like doing, like camping. And I didn't really like her house that much because she had kids and they just made a mess of the place. It was a really messy house. (Boy, aged 14-17)*

These children's remarks were fairly typical.

> *Interviewer: Do you get on with dad's girlfriend?*
>
> *Child: Hardly ever see her…don't like her. (Boy, aged 8-10)*

> *The last girlfriend my dad had I didn't like her that much. She used to be nasty to my dad and I got a bit upset about it. But now my dad's split up with her because both my brothers and my sister and me don't like her, so he's split up with her. And he doesn't like her that much now either. (Girl, aged 8-10)*

While several children were fairly neutral on the subject, there were only one or two who had formed good relationships. For the girl below, now on her second step-mother, it seemed to be achieved with little effort. She enjoyed the company of both her stepmothers and also her half-sister.

> *Interviewer: Have you ever had problems with dad having girlfriends?*
>
> *Child: No, dad's new girlfriend, she's nice. She puts me and [half-sister] to bed when we're both staying with dad.*
>
> *Interviewer: Did you know [half-sister's] mum when she and your dad were together?*
>
> *Child: Yeah. I still get on well with her now. (Girl, aged 8-10)*

The boy below explained how his feelings about his dad's partner were slowly changing, with encouragement from his mother. He explained why developing a relationship with his dad's girlfriend had been difficult and how it was still a fragile, ongoing process.

> *Child: I've only just started seeing dad's girlfriend cos like I never used to want to see her. She's been around for about four years but I've only seen her about three times. My dad had an affair [with her] that's why they split up. That's why I didn't want to see her but I've got over it now.*

Interviewer: What changed your mind?

Child: I don't know, it's just been proper long and everything. I just thought about it and thought my mum's moved on and everything, so I might as well. So I just started seeing her. ...

Interviewer: What did you think about her when mum and dad split?

Child: Just didn't like her.

Interviewer: Was she what you thought she'd be like?

Child: No. Better… Well I thought it would like upset my mum if I'd gone and seen her and everything… [but] Mum tells me to go round there sometimes. She says, 'Go on, go and see her'. (Boy, aged 14-17)

In general children seemed content to have little to do with non-resident parents' partners even when the relationship was long standing. This girl had known her dad's partner for over seven years; her views and experience were common.

Interviewer: You must know her quite well by now.

Child: You'd think I would, I guess, but we've never really talked at all, even when we were little, so…

Interviewer: Why is that?

Child: Don't know really. None of us are chatty types so…

Interviewer: Would you like that to be any different?

Child: No, I'm happy with that. (Girl, aged 14-17)

Regardless of their feelings towards new partners most children said they tried to be civil and helpful:

I'm always polite to my step mum; she doesn't know that I don't like her. (Girl, aged 14-17)

I don't think I do anything wrong. I try and be nice to her and say 'Do you want a cup of tea?', 'Can I get you anything?', 'Do you want anything to eat?', 'Do you want any help with making dinner?' She says 'No, no, no, no, no'. (Girl, aged 11-13)

But despite their attempts, many children felt that partners didn't make an effort to make them welcome.

Child: She [step-mother] doesn't really talk to us! We just go in and say hello to her. When we were younger we used to talk with her a little bit more but not now. Then she'd talk occasionally, only when dad wasn't there. When dad was in the room she wouldn't talk to us but when he wasn't there she'd have to say something or it would be a bit awkward.

Interviewer: Do you think it's her responsibility to make you feel welcome or more your responsibility to make her feel at ease?

Child: Well I'd like to think that if I was someone's step-mum I would make the kids feel welcome. But I don't think it's my problem because I think she should make me welcome, it's her house, her family. I think she should try a little bit harder but I don't think it should be my problem. (Girl, aged 14-17)

New relationships' impact on contact

As well as the above uncomfortable situations, several children told us how new partners' behaviour had a direct impact on their contact. For this boy and his brothers it was witnessing and being on the receiving end of violent behaviour.

They're married now. [Mother's new partner], he's violent, like sometimes when he's drunk. He kind of hit my brother one time, he cut his lip and then he went denying it and everything. (Boy, aged 14-17)

One child told us about the partner's drunken and bad-tempered behaviour. Although it made him very unhappy, and he really wanted to spend his contact time with his father, he feared his dad's reaction were he to raise the subject with him, so he continued to suffer in silence.

Child: Dad's girlfriend carries on sometimes. She like gets drunk and it stopped me stopping over last time.

Interviewer: Is dad's girlfriend there when you go and see your dad?

Child: Well most of the time. If it's a weekend she might not be there for about two hours.

Interviewer: How do you feel about that?

Child: Don't take any notice really…some times she speaks to me.

Interviewer: What would be better?

Child: Me spending more time alone with my dad without her there. It's annoying cos I'd rather it just be me and my dad. ...

Interviewer: Have you mentioned what you feel about it to dad?

Child: I don't know what he'd say. I don't know what she'd have to say. I've thought about telling dad but I can't because it will all kick off. She'd still find out. (Boy, aged 8-10)

For another boy the imposition of the partner's house rules made him feel put upon and unwelcome. But more importantly he explained how the partner's presence, and later the arrival of his half-brother, seriously compromised the quality of his contact.

Child: I get on worse [with dad now] because I always used to want to stop there and I don't really much now.

Interviewer: Why do you think it changed?

Child: Because he's got a girlfriend now probably. When it was just me and my dad then we were all right. We'd go for walks and that together and there's no one to tell us off when we get mucky and that. But now when we go on a walk we have to take all our clothes off at the door where everyone can see us and put them in the washing basket, and it's always freezing and embarrassing. And [things were better] before my little [half] brother was there.

Interviewer: What difference does he make?

Child: Well, I don't like my little brother cos he's annoying, gets on my nerves, and he always wants his own way. (Boy, aged 8-10)

Children were clear what they wanted from contact. Contact was about spending time with their non-resident parent and so strengthening their relationship and the emotional bonds between them. Contact was not about developing a relationship with their parent's partner. For most children, partners simply got in the way of the primary purpose of contact.

If my dad ever wanted time alone with me then my step mum would say it was really selfish of me and that he'd have to take my step sisters too and that we should have a nice time. So I never got private time with my dad, but they always got private time with their mum. But I think they saw it that I have a mum and it doesn't matter me not getting time with my dad. (Girl, aged 14-17)

The way they perceived many partners behaving towards them left many children feeling, as one girl suggested above, like unwelcome visitors. This was conducive neither to satisfactory contact nor to an easy 'family atmosphere'. Even where children spent weekends or holidays at their non-resident parents' house the situation was not improved. Children rarely felt comfortable or at home within the 'blended' family unit. This girl explained how she felt like an intruder in her father's home:

Child: It's quite different [at dad's] because you don't feel you can just get something to eat out of the kitchen. I mean everyone is really nice and kind but it just feels a bit different sometimes.

Interviewer: Do you feel like you are at home at your dad's house?

Child: Sort of but not as much as here where you can just do what you like. I don't feel I can just do what I like, I feel like I would be intruding or something. I'd like it if it was a bit more, well not informal, but just felt a bit more comfortable doing stuff there.

Interviewer: Is there anything they could do to make it feel more like that?

> *Child: I can't really think of anything it's just the way it's turned out really.*
>
> *Interviewer: What do you think causes that?*
>
> *Child: It's probably the boys or [stepmother] maybe, but cos we don't see them that often we want to behave all the time as a way of getting him to come here more, so we're good kids but not sure. (Girl, aged 14-17)*

For several children it went beyond 'not feeling at home'. This happened when non-resident parents tried to placate their 'new families' at the expense of their 'old family' children. A couple of the children said that they knew their non-resident parent was trying to be fair by treating all the children equally, but that in fact this was not fair because the visiting children had far less time overall with the parent than the 'new children'. The new children could spend time with the parent without the visiting children being around, whereas the children from the 'old family' had to share their parent's attention and resources every time they visited.

Thus, for many children new partners and half- or step-siblings were the biggest stumbling block to satisfactory contact. Most children felt their non-resident parents were unaware of or simply ignored what was happening and the impact it was having on them. A more detached interpretation is that non-resident parents found themselves between a rock and a hard place, unable to balance 'old' family, 'new' family and work; struggling to manage their time or find enough of it to give their 'old family' children the quality contact these children craved. 'New family' commitments and work often took over, denying children the dedicated, 'private time' (to quote a 14-year old girl) they said was the key to successful contact.

These girls, all between 12 and 14 years old, were among the children who felt that the non-resident father had the balance wrong:

> *I just feel dad thinks 'she is my daughter, it's not like she's going to stop being my daughter so if I make her feel a bit bad just to keep [partner] on the good side it's OK. But [partner] could walk out on me at any moment so I have to stay in her good books'. I feel he tends to make me feel a bit bad to make her feel better… I feel she's got him wrapped round her little finger and he'll do anything to keep in her good books.*
>
> *All of them [step-mother and two half-siblings] were there in the house so I don't get that much time just with my dad so I don't really want to go. That's why I go, [laughs] to spend time with him, so it was a bit pointless. ... Mum started ringing him and saying 'You have to take them out on their own, say once a month, take them out on their own'. That happened about twice and then it didn't work any more because he was at work one weekend, or it was [half-brother's] birthday party or what have you. Or [half-brothers] wanted to come with us and he couldn't really say to them 'You can't come'. And I'd rather not go than go with them!*
>
> *We went on holiday together once and I wanted a CD. ... My dad wouldn't buy me the CD because it would be unfair on my step-sisters. We met up with them later and they'd spent a hundred pounds in a different shop! And it was my dad's money they'd spent because my step-mum wasn't working. That really upset me. I thought my dad loved them more than me. But it happened loads and loads of times.*

Managing 'old' and 'new' families was clearly no easy task. One practical difficulty apparent through children's comments was a lack of common interests between the children, partner and half- or step-siblings. Having little in common was especially noticeable with half-siblings because of the age gap (somewhere between five to ten years) between the children from the two relationships. The children we interviewed recognised that younger children need more attention. Nonetheless, most felt some resentment when the attention was given during their limited contact time and, as they saw it, at their expense. One child also mentioned that her dad's partner does not help by looking after the younger children during contact, and several other children also commented that the new partner did not help the parent and child to have quality time together during contact. Even children who enjoyed the company of half-siblings were saddened and upset when they received preferential treatment.

Given the problems which were associated with 'new children', it was not surprising that the possibility of future babies was seen as a threat by several young interviewees.

> *Child: My dad sent me up to his room and I saw a book and I'm thinking that she might be pregnant.*
>
> *Interviewer: Do you think she is pregnant?*
>
> *Child: No, well I hope not.*
>
> *Interviewer: How much of a difference would that make to you?*
>
> *Child: A lot… I wouldn't want to see [Dad]. (Boy, aged 8-10)*

> *Interviewer: What did you think about having a new baby brother or sister?*
>
> *Child: Shocked in a bad way, cos I don't like mini-me's…. and they get on your nerves.*
>
> *Interviewer: Is that what you think now or is that what you thought then?*
>
> *Child: Then and now. (Boy, aged 8-10)*

New relationships – what do children do about their concerns

Children usually felt unable to talk to their non-resident parent about problems with that parent's new partner or new children. Explanations for not talking to non-resident parents included worry about how the partner would react, and their wish to 'protect' parents from feeling bad or guilty. Given this, most of them tended to keep quiet and hope matters would improve. Unlike most other children, the girl below resolved to talk to her dad. Unfortunately circumstances overtook her and she changed her mind.

> *We went on holiday together. I wanted to see how that went and if it was bad I was going to speak to my dad. But just before that holiday he told me she was pregnant with [half-brother]. So I thought I can't do that now, it's too late. (Girl, aged 11-13)*

In some cases, it was not clear whether the child had talked to the resident parent about issues with the other parent's new relationships. Children also generally felt that such problems were beyond their resident parent's intervention and those who had tried to enlist their help had not met with success even if the resident parent raised the topic with the other parent.

Of all the 'problems' discussed in interviews, including those on the checklist, new relationships was the area which proved truly problematic for children. From speaking to children it is evident that making contact work requires active thought and considerable effort on the part of the adults involved.

Unfortunately, for these children, contact seemed to be a balancing act few non-resident parents had mastered. The children's interviews suggest that their non-resident parents fail to recognise or perhaps acknowledge their children's needs and feelings. New partners seldom seemed to facilitate contact, according to these children, and indeed many seemed positively to obstruct it, making children feel like unwelcome visitors rather than part of the family, although there were exceptions. Feeling like visitors strengthened children's wishes to spend one-to-one 'quality', private time with their non-resident parent away from their non-resident's partner. For their part most children felt unable to discuss their problems around the non-resident parent's new partner or new children with that parent even though some felt their contact might reduce or end as a consequence. The ideal of the successful 'blended new family' may be beyond the reach of many families and perhaps also not within the wishes of the children for whom contact is a fact and a way of life.

Children's feelings of guilt and responsibility

In Chapter 9 we discussed the parents who thought that their child felt guilty about contact, or that their child was sensitive to parents' feelings and careful not to upset or hurt them. Not all the young people we interviewed touched on this area but several children had worried about treating parents fairly or making one parent feel bad. In the first quote it seems as if the father had chosen to make his daughter feel responsible for his disappointment when contact did not happen:

[If a weekend is missed] maybe sometimes I'll see him for two weekends in a row just to settle everything out but he does tend to make me feel a little bit guilty. He normally says 'Well I only see you for 25 weeks and now I'm only seeing you for 24' and he makes me feel a bit bad and I don't really like it when he does that. (Girl, aged 11-13)

[Girl was unhappy about sharing contact time with step-sisters who lived in her father's house]

Interviewer: Did you ever say anything to him about it?

Child: Yeah but he'd really get annoyed, he'd say 'There's nothing I can do about it' but I think he felt really, really trapped. Him and my step mum were breaking up and I think he felt very bad. (Girl, aged 14-17)

Child: But I don't think it's very nice, because if you see them once a month like say in December when it's Christmas time, if they arrange it for a different day but not Christmas day and you don't get to see him on Christmas day then I don't think it's very fair.

Interviewer: Who's it not fair on?

Child: I don't think it's fair on the other parent. (Girl, aged 8-10)

[Child discusses splitting his time 50/50 between households]

Interviewer: Who wouldn't it work for?

Child: My mum and my dad.

Interviewer: Why wouldn't it work for your mum?

Child: Because she likes seeing me and she always wants me. And my dad always wants me as well so it's hard like with Christmas. (Boy, aged, 8-10)

Parents' concerns that their children may feel guilty about contact, and hold themselves responsible for their parents' feelings (which we discussed in Chapter 9) are reflected and borne out in these children's comments. The children we interviewed generally did not feel that there were serious problems with their contact as a whole, but given that this is a sample of families which have experienced problems post-separation, it seems likely that children's concern for their non-resident parent's feelings may in part come from a realistic assessment that their contact is not as secure as it could be. A very common message from parents (when we asked them what advice they would like to pass on) was that parents should put the children's needs first and worry less about parents' needs. However, it seems that in many cases, children are not putting themselves first and are just as keen to ensure that their parents are fairly treated and happy.

Different experiences of parents and children

In this section we compare the interviews of children and parents in the same family. Some of these families had court orders in place for contact and these parents have not been included in the analysis presented elsewhere. However, we were not able to exclude court-using families from our children's research because it was very difficult to recruit children into the project.

We did not expect children's reports of problems to exactly mirror their parents, especially where children were quite young, or where parents had split when the child was very young. However, we were surprised at the extent of the difference in reports from parents and children in some families. Some of this is attributable to the passage of time - in many cases children were quite young when difficulties were acute. In many families, though, difficulties which the parent felt were ongoing were not mentioned by the child at all, and children's main concerns were often not remarked on by their parent.

In one way, the research design hampered comparisons between children and parents. We interviewed each participant separately, and used different interviewers for parents

and children within the same family. This was because we wanted to be able to reassure children that their comments would not be passed onto their parents and we would not be influenced by what the first person interviewed told us. However, it did mean that we were not able to ask parents about issues that their children raised, or vice-versa – we didn't know which were the 'right' questions to ask for each family.

Issues raised by one family member but not another

Major problems mentioned by the resident parent that were not mentioned, or actually rejected, by the child included:

- The non-resident parent is usually late by several hours, or the resident parent says the child is upset when the non-resident parent stops contact or fails to show up, which happens frequently.
- The non-resident parent bad-mouths the resident parent to the child.
- The resident parent used to fear the child's abduction by the non-resident parent.
- The non-resident parent had serious arguments with the resident parent's new partner, in front of the child.
- The resident parent believes that the child goes for contact visits mainly because of pocket money from the non-resident. The resident parent believes that there is little meaningful contact
- Contact was supervised by grandparents because of the non-resident parent's drug use.
- The resident parent was concerned about the child's welfare during contact due to the non-resident parent's drinking.
- The non-resident parent attempted to abduct the child in the street.
- The non-resident parent uses drugs and alcohol during contact visits.
- The resident parent feels that the child doesn't really enjoy contact.
- The resident parent thinks that the child is upset about the non-resident parent's new family and baby.
- The resident parent prevented contact in the early days because of the presence of the non-resident parent's underage girlfriend.
- The resident parent gets verbal and text message abuse from the non-resident parent.
- The relationship between parents has been extremely hostile and argumentative in the past, sometimes violent.

Issues which the child discussed which the resident parent did not mention as a problem, or actually said that the opposite was true:

- The non-resident parent makes the child feel guilty if contact does not take place.
- The non-resident parent takes the relationship with the child for granted and does not make enough effort.
- The non-resident parent and his new girlfriend argue a lot during contact visits.
- The non-resident parent is unwell at present and this has affected contact.
- The child feels torn between resident and non-resident parents.
- The child would like more contact.
- The child would like 50/50 residence.
- The child feels left out because a new half-sibling gets all the toys and attention.
- The child has a very poor relationship with, or hates, the non-resident parent's new partner.
- The non-resident parent's job is a factor which prevents the child having as much contact as desired

- The child is very worried that non-resident parent's girlfriend may be pregnant.
- Parents argue in front of the child.
- The child feels that the non-resident parent does not treat children equally.
- The child wanted more contact than the resident parent allowed in the past.

It is not surprising that children were unaware of some of the issues described by their parent, because some of the problems were fairly adult in nature and parents probably wished to protect their children from knowledge of these issues – for example, drug and alcohol misuse, the father having a girlfriend under 16, violence and verbal abuse. However, in many cases where we would have expected the same issue to be reported by both parties – such as wishes around contact frequency and type, and feelings about new relationships - we were surprised that in some families the perspectives differed so much.

Common discrepancies

In several families, the resident parent reported that their child had negative feelings about contact, either in the past or at present, but the child did not express any negativity about contact's importance or frequency. This includes cases where the parent said that they felt that contact wasn't particularly important to their child, or that their child didn't enjoy contact very much, or that the child wanted to reduce the amount of contact. For example, one resident mother said that she thought her child wanted less contact with the father – but the child actually said he wanted more. Another resident mother said that she thought that her child was not very motivated to spend time with the resident parent, but the child said that contact was actually very important. In a couple of families, the child said that their ideal arrangement would be 50/50 with each parent – but this was not something that the resident parent had mentioned.

Whereas resident parents were sometimes just mistaken about their child's desires for contact, where children felt that new partners or new siblings were causing difficulties, resident parents did generally recognise that there were problems. The difference comes from the emphasis that children placed on the issue, the strength of feeling they expressed, and sometimes in the details which children mentioned but the resident parent did not. A few children said that they 'hated' their father's new partner or step-children. One child said that the arguments between their father and his new partner often spoiled contact visits, and another child was very worried that Dad's new girlfriend might be pregnant – in both cases, these problems were not mentioned by the resident mother.

In several families the resident parent said that there had been, or were, problems with the contact parent's unreliability, and felt that the failure to show up for contact visits upset the child. In nearly all these cases, the children did not report this as a problem, although we specifically asked all children whether there had been problems with their contact parent letting them down.

In a couple of families the unreliability had been in the past and it may be that the child had forgotten about it, but in others the problem (according to the resident parent) was ongoing. It is quite hard to reconcile our data from the parental interviews about the impact of unreliability on children with children's dismissal of the issue. There are a number of other possible reasons for this (besides children forgetting about the issue). Children may not have been aware of any unreliability, or they may have been aware of it but wanted to defend their non-resident parent. Alternatively resident parents may have exaggerated either the extent of the unreliability or its impact. The impression we got, however, was that the children in these families were defensive of their non-resident parents and either did not want to believe that they were unreliable, or did not want to tell strangers about it, and sought to down-play the problem.

In the family below, the resident mother said that the father was frequently late and often failed to show up for contact at all, which upset her daughter very much. The child, however, described a different picture:

> *Interviewer: What about him not turning up, have you ever had problems with that or that he cancels at the last moment?*
>
> *Child: Maybe once or twice.*

Interviewer: How did you feel about that?

Child: Fine.

Interviewer: Did he explain why he wasn't coming?

Child: Yes. (Girl, aged 11-13)

The confidentiality promises we made to both parents and children mean that we have left out a lot of detail in describing families and we cannot juxtapose quotes from members of the same family. We have needed to be cautious about providing detail that could potentially enable parents to learn what their child said, and vice versa. However, the important message from comparing parents with children is simple – in many cases, though by no means in all families, resident parents did not seem to be aware of some of the wishes and concerns of their child.

We would emphasise here, lest it seem as if it is only resident parents who are not fully aware of their child's perspective, that we were only able to carry out a direct comparison between children and resident parents (for reasons explained in Chapter 2). However, from the reluctance children reported in talking about difficulties with their non-resident parent we have no doubt that, had we been able to interview these children's contact parents, a very similar picture would have emerged.

Where there were differences between what resident parents and children told us, we have no way of knowing why the narratives differed. We would speculate that there were two main types of difference – where the interviewee was not aware of the issue raised by another family member, and where the interviewee was aware of the issue but chose not to speak about it. Where there was awareness of the issue, participants may have decided not to discuss it because they wished to defend another family member (either a parent or a child), because they felt uncomfortable telling the interviewer about it, because they felt it might reflect poorly on themselves, because they felt that the issue wasn't important, or because they felt that they weren't supposed to know about it. Alternatively, the apparent differences may be a result of a misinterpretation on our part, or as a result of simply not asking the right questions.

Summary

Findings from the in-depth interviews

By and large, the children we interviewed did not find their contact to be seriously problematic. Most of the time the problems that they did mention were in the past and they considered them to be resolved at the time of interview. However, gentle probing revealed some issues that had been problematic, or continued to be difficult for children.

The most significant problem which children described was difficulty associated with non-resident parents' new partners and new children. All of the children had met at least one new partner (of the non-resident parent) at some point, and although several said they did not object in principle to their parent meeting someone new, in practice this led to difficulties for most of the children.

In some cases, children reported a personal dislike of the new partner. In a couple of cases there was evidence of some resentment because the non-resident parent had left the family to be with the new partner, but in most cases the relationship had started after separation. The strength of feeling which many children expressed about the new partner, or the impact of the new partner and new children, surprised us. Some children felt unsafe around the new partner while others simply felt unwelcome. Children told us that the non-resident parents' new relationships or new children had led to less time for contact, less enjoyable contact, and worries that the new family was getting preferential treatment from their parent.

Even where the child thought they had a fairly civil relationship with the new partner, none of them felt that it was a close relationship, and none expressed a desire for a closer relationship. It was clear that children want contact to be about spending time with their

non-resident parent, rather than building close relationships with the non-resident parent's 'new family'. Some children thought that contact could be boring – this could put them off spending time with their contact parent but generally they tried to make suggestions for more interesting activities.

The children we interviewed did not, in general, feel able to discuss their concerns with their non-resident parent, even though some thought their contact was affected or might be affected in the future, and although some had talked about it with their resident parent they felt that it was not an area where the resident parent would be able to intervene.

Other problems which children mentioned included arguments between the parents; many felt that the most serious conflict was several years ago and no longer an issue. Some children had got used to moderate levels of animosity between their parents. It was rare for children to say there was serious conflict, but this clearly frightened children when it occurred.

Children were often very aware of and sensitive to their parents' feelings. They thought that their non-resident parent wanted to spend time with them and worried about upsetting them if contact arrangements had to be changed. This sensitivity also meant that some did not want to talk to their non-resident parents about problems with their contact.

When we compared the interviews from resident parents and children in the same family, we were often surprised at the differences. In many cases the resident parent spoke about serious issues which the child did not mention at all, and a few children had serious worries (although not welfare-related) which they had not shared with their resident parent. There were often discrepancies around the child's feelings about contact where the child's desire for more contact was stronger than the resident parent realised, or where the resident parent did not realise how strongly children felt about the non-resident parents' new partners or new children. It was rare for children to tell the interviewer that their non-resident parent was unreliable about contact, even in families where the resident parent felt that this was a serious and current issue.

Chapter 13: Interrupted contact

One of the issues we were interested in exploring in this research was the extent to which contact was blocked by non-resident parents. As we noted in Chapter 1, there is considerable research reporting the views of non-resident fathers that obstruction of contact is a major reason for contact breakdown. It is also an issue which exercises the courts (Hunt and Macleod, 2008) and has prompted new legislation (the Children and Adoption Act 2006) which gives the courts new powers to deal with non-compliance with court orders.

In this chapter we report first the findings from the national (quantitative) survey on the extent of, and reasons for, contact stoppage before looking in more depth at the issue using the material from our in-depth, qualitative interviews.

Findings from the national survey

Key point 1: Although a large minority of non-resident parents have had their contact stopped by the resident parent at some point, total or persistent blockage is unusual.

37 per cent of all non-resident parents said that the other parent had stopped them spending time with their child at some point. Among those parents who did not have current contact, half said their contact had been stopped by the other parent at some point, as did 34 per cent of those whose contact was ongoing. However only 13 per cent of all non-resident parents said there had been persistent or complete contact stoppage, compared with 23 per cent who said it had been stopped only occasionally.

11 per cent of resident parents said they had stopped contact at some point. 13 per cent of those whose child currently had contact reported stopping contact in the past, as did eleven per cent of those whose children had no contact. Typically these parents were referring to occasional stoppage. Even where there was no current contact only seven per cent said this was because they had stopped it.

Key point 2: A wide range of problems result in contact being stopped, but the most common are the child's wishes, concerns about the child's welfare and bad feeling between the parents. The problems which lead to complete cessation of contact are generally similar to those which cause temporary suspension, with the exception of disputes over child support.

The most common reason given by non-resident parents for contact being blocked was the child's views (27 per cent of those who had ever had their contact blocked and 20 per cent of those whose contact had been stopped more than occasionally). Almost as many (25 per cent where contact had ever been stopped and 18 per cent where this had been more than occasional) attributed it to bad feeling between the parents.

The primary reason given by resident parents was concern about the child's welfare (36 per cent of those who had ever stopped contact and 38 per cent of those who had stopped contact more than just occasionally. Almost half of these parents cited a serious welfare concern about the non-resident parent i.e. drug or alcohol abuse, mental illness or child abuse.

29 per cent of resident parents who had ever stopped contact said that this was partly because of the child's views, although this accounted for only 13 per cent of instances where contact had been stopped more than occasionally.

Bad feeling was cited by 19 per cent of the few resident parents who said they had stopped contact more than occasionally. The same proportion referred to fears for their own safety. 13 per cent said they wanted the child to build a relationship with their new partner.

15 per cent of resident parents who had ever stopped contact said they had done so because the other parent was not paying child support. None said they had stopped contact more than occasionally for this reason

Key point 3: Few families in which contact had ever been stopped used the family courts. There is some indication that going to court can be effective in restoring contact.

Of the families who reported that contact had ever been stopped only 19 per cent of resident and 19 per cent of resident parents had ever been to court over the issue.

12 per cent of resident and seven per cent of non-resident parents had been to court more than once over contact stoppage.

Families in which there had been contact stoppage but contact was currently happening were more likely to report having been to court over the issue than those where there was now no contact. However numbers are too small for this finding to be reliable.

Findings from the in-depth interviews

Interrupted and restored contact

Around half of the parents taking part in the in-depth interviews told us that either contact was not immediately established after parental separation or there had been at least one period during which contact stopped, then resumed. There appeared to be three sets of circumstances in which this reportedly occurred: the resident parent did not allow it; the non-resident parent did not take it up; and in a few cases, the child was resistant.

The reasons for interrupted contact

All the resident parents who reported refusing contact for a period explained this in terms of welfare or safety concerns due to domestic violence or the non-resident parent's alcohol or drug abuse. For example:

> *He's got a lot of problems and I don't know what was really going on in his head at that point. He had a lot of problems with drugs on quite a grand scale and his temper, all over the place, and obviously, sometimes I wouldn't – not that I didn't let him come and see her but I would at the beginning have to, I'd always be busy. Because I was just sort of terrified really...because of the argument that would occur and him being, this erratic behaviour. I didn't want her to have to put up with that as well. So there's been sort of really big breaks in between her seeing him. And I think, I don't think it'll ever change. (Resident mother)*

Most of the non-resident parents who laid responsibility for interrupted contact at their ex-partner's door also put this down to the resident parent's welfare concerns (although denying or minimising their salience).

All but one of the reports about non-resident parents not taking up contact came from resident parents. The circumstances described varied from one father who denied paternity and initially refused to see the child at all, and another who was felt to show only flickering interest, to those who dropped out for a period because of a row or upset. In one case a resident mother who had initially resisted contact because of her welfare concerns found it hard to understand how, having gained the contact he wanted, father had subsequently dropped out for many months.

The only non-resident parent who acknowledged not taking up contact explained that after the marriage had broken down he had just 'gone off on one', disappeared for months, and had had to be persuaded by his friends and relatives to get back in touch with the children. Subsequently, whenever things got difficult he tended to drop out for a while:

> *When she got with her new partner she was quite funny about me having the kids over Christmas, she wanted it all her own way. We had a bit of a ding-dong, me and her new partner, and I stopped seeing the kids for a while. And when, like I said earlier, I'd go round to pick them up and they'd say 'they ain't here'; which led to me saying 'I've had enough, I don't*

want to have anything to do with any of you anymore'. But each time, after a few weeks, a month, I'd think, I'm missing my kids, it's not really fair on them like. (Non-resident father)

The circumstances in which children were said to have refused contact were very different. One child had changed residence after relationships at home had deteriorated badly and initially refused to see his (now non-resident) mother at all. Another had had a row with her non-resident father and another was upset at what she saw as her father's favouritism towards her brother, who had continued to have uninterrupted contact with his father.

How contact was started or restored

Resident parents generally described themselves as responsible for persuading resistant children to resume contact:

She did go through a patch where she said she didn't want to see her father cos she'd had a big argument and he'd upset her. And she didn't go for a while. But then I said, you know, 'he's your dad at the end of the day' and so she did, she started going back again. (Resident mother)

He didn't see his mum for three or four months until I talked him round (Resident father)

Children's agency, however, was sometimes important in getting contact going in other circumstances. One resident mother, for example, described how her daughter ensured her father, who lived locally but periodically dropped out of contact, remained in her life.

Mother: They'd bump into each other and she'd directly say to him, I haven't seen you for a while and are you going to take me out?

Interviewer: And did that sort of shame him into doing it.

Mother: Yes, because she was the one that was saying it. (Resident mother)

In another case the father was unaware of his son for some months after his birth, but contact began when the baby was a few months old. It continued for about two years but then ceased for several years, and by the time of the interview it had resumed once more. He told us how the child had been instrumental in starting it up again:

[Child] was getting older, he was seven at the time. And people know me quite well around here, so he was getting to hear about me being his dad, his real dad. So I think the pressure came from him really I think to want to know who his real dad was. So [mother] came down to my house one day, totally out of the blue and said, 'you know, he's said that he wants to see you'. So the weekend after he came down with her, she stayed for half an hour or so and then disappeared, and then that was the start of our relationship again. (Non-resident father)

In a third case the resident mother, who had moved out of the jurisdiction with the father's consent, was said to have reneged on her agreement to let the children come to England for holidays, because of her fear that they would not be returned. For reasons which were not entirely clear this had resulted in there being no face to face contact for years although frequent telephone contact was maintained. Then as the children got older the eldest one became more difficult at home and started to demand she be allowed to travel to England to see her dad. Eventually her insistence, coupled perhaps with the influence of the mother's new partner, (and of course the father's persistence in maintaining telephone contact) paid off.

As [child] has got older she demanded that she go and became unbearable, 'I want to go, I want to go'. [But] I think the turning point was when [mother] got into a relationship with [her new partner]who is my saviour. He's fantastic with the children, they think the world of him. And he's probably the one who's said 'let them go'. And obviously [mother and new partner] want time alone as well. So there's a benefit to her, there's a benefit to the kids. I do think he's got an awful lot to do with it. (Non-resident father)

There were a number of other cases too, in which the catalyst appears to have been the intervention or involvement of relatives or new partners, whether the issue was the resident parent's resistance or the non-resident parent not taking up contact. Typically parents reported such influences acting on the other party. For instance:

He did stop coming to see her one time and me dad were passing his house and he was sat

outside. And me dad slammed on the brakes, jumped out of the car and says, 'what is your problem? You've got a brilliant daughter there and you won't come and see her!' 'Oh, I really want to, I really want to'. 'Well,' he says, 'well you know where she lives'. So he came up that week. (Resident mother)

Initially it was very raw with [mother], she wasn't prepared, she didn't want me to see the children at all. And I think her mother got involved and said 'no, you've got to let him see the children'. I always got on well with my former mother in law. (Non-resident father, 37)

The sole non-resident parent who admitted to stopping contact periodically also acknowledged the influence of his friends and particularly his mother, on getting back in touch with his children:

Me mum said to me once, when I was having a bit of a bad patch, 'how would you feel if you thought your Dad didn't want to see you?' And I kinda thought to myself, 'yeah, if I was a kid and I thought my Dad don't give a damn about me'...That sort of thing destroys little kids, doesn't it. (Non-resident father)

Similarly, one resident parent highlighted her new partner's role in encouraging contact although there was tension between the parents, welfare concerns, and the mother thought the father was not very interested in seeing his daughter:

A lot of it was actually down to my husband. Because my ex lives on this estate and he used to walk past and things and [my new partner] would say to [child] - 'Dad's outside, do you want to go and say hello', and things like that. And down to him, really. I think a lot of it was because he'd been in the situation where he'd been kept from his children, he knew what it felt like, and I suppose he just felt, cos it was here, nothing could go wrong, sort of thing. (Resident mother)

In another case, in which contact had previously only ever been visiting contact which was mostly monitored by the resident mother, she told us about being reassured by the presence of the father's new partner so that she now felt happier about overnight contact:

He lives with this girl and she's really nice. I've met her a couple of times, she's really settled and she's got a really good job, and you know, and I think that [child] probably has more fun with her. And I feel safer. Because I kind of think, he's sort of a bit mad. Obviously that was a worry to me at the very beginning, you know, he just used to usually come here for the day and just take her out for a couple of hours. I'm much happier that he's with this girl. If he was on his own I would be really worried. (Resident mother)

In all the cases in which resident parents told us they had blocked contact because of their welfare fears, contact started, or resumed, on a monitored basis. Indeed in one case, in which the father had served a prison sentence for domestic violence (post as well as pre-separation) contact was still supervised by the child's paternal great-grandmother. In another, in which the non-resident father was said to be a chronic alcoholic and periodically became abusive and threatening, the mother told us she was still having to suspend contact from time to time. Indeed only a few days before the interview there had been a crisis which had been resolved, apparently, by the father acknowledging how unreasonably he had been behaving:

There've no been many occasions when contact has completely stopped. But the occasions when it has happened has been because of his behaviour. It's no because of anything else. It's been because of unreasonable, irrational behaviour in the form of text messages or phone calls. Again it's like anger. (Resident mother)

It was striking that where contact was said to have been blocked by the resident parent there was only one family where lawyers were involved over the issue. All the others were resolved either by the actions of the child, the involvement of third parties, or the resident parent feeling reassured about the child's safety. Sometimes more than one dynamic was involved at the same time, or the dynamic varied over time.

As noted earlier, where it was the non-resident parent who was reported to have stopped contact, sometimes it was the child or the interventions of others which were instrumental in contact getting going. In some cases, however, the non-resident parent seemed to have taken the decision unprompted. As one of them put it:

Each time I'd think, I'm missing my kids, it's not really fair on them like....Always after a few weeks, a month, I'd start saying to myself it wasn't fair on the kids. (Non-resident father)

What was interesting, however, was that there was not a single reported example of the resident parent taking the initiative to restore contact after the non-resident parent had stopped seeing the child, although in a couple of families the resident parent had got in touch with their ex-partner to express anger and/or disappointment.

Stopped contact

In addition to the cases in which contact had been suspended for a period but was currently taking place, there were three children who were not having any contact at all. In one case, where there had been no contact for years, the resident mother told us this was because of the child's allegations of abuse. In another the non-resident father said he was at a loss as to why mother had turned against him.

Father: She told me 'just forget about us, just go away, I don't want you having anything to do with her'. I've tried to ask her why but she won't tell me. She won't even talk to me. Strange, I don't know why.

Interviewer: And she's never given you any reason?

Father: No, none at all. …I've never done anything wrong, anyone who knows me could tell you that. It was all good then all of a sudden she stopped. (Non-resident father)

In the remaining case it was the child, a teenager, who was refusing contact with the mother with whom he had previously lived before moving to live with his father. The relationship between this young man and his mother had apparently completely broken down and, according to his father he had resisted all attempts to persuade him to see her:

Father: I think it's a terrible situation. [My son] won't speak to his mum. He hasn't spoken to her [for over a year]. Him and I don't agree about this, we don't agree at all, but he's absolutely adamant. It's really nasty between them, it's horrible. I think it's negative energy for both of them, it's going to affect him, going to affect her, well it does affect her.

Interviewer: You said that you'd tried to encourage...

Father: I've tried, I've tried. I spoke to [mother] honestly about it, spoke to [son] honestly about it, independently. And he just wasn't up for it, wasn't up for it at all. So. We've had quite a few conversations, [son] and I. I don't think [mother] believes that I do think that. But I do. (Resident father)

None of these cases had gone to court, although in one the non-resident father told us that he had got as far as consulting a solicitor, who had written a letter to mother, but that when there was no response he found himself emotionally unable to face taking it any further.

I couldn't carry on with solicitors because I couldn't face it, it were hard. It might sound funny to some people but... [The solicitor] suggested writing a letter first and then if she didn't reply to that then apply for mediation and try and sort it out and then if she didn't agree to that then go to court. But I knew she'd have took it the whole way, took it to court. I didn't get [back] in contact with him. I give up. I shouldn't have done but I did, because it were....There's probably all sorts I should of done and I've not done, I don't know. (Non-resident father).

Awkwardness, threats and temptation

Given the extent of the problems over contact in the sample cases it is perhaps surprising that disrupted contact did not occur in more cases. The temptation, as one interviewee acknowledged, must often be quite considerable:

At the beginning we had a lot of arguments and stuff and it's so tempting to turn round and just be nasty and say ...Just to do the spiteful thing. But I would never do it because it's them, really, not us. I think it's important for them to see him. They'd both be upset if they didn't. (Resident mother)

Another told us how it had been her parents who had turned her away from this course of action:

I said [to father] 'if you're not paying for her how come you keep seeing her' and I spoke to my

mum and dad and said 'I really wish I could say this' and they said 'no matter what he does to you or doesn't give any money you don't take that away from her' (Resident mother)

However, in addition to cases where contact had actually stopped for a period some parents also referred to periods when it could well have done, or when contact had not formally ceased, but it was a moot point as to whether it effectively had, or there had been threats to stop contact. In one case, for example, where the mother's new partner was a foreign national, the parents had fallen out over plans to take the children to his country for a holiday, with the father fearing they would not be returned.

Father: She did cut off contact for a little while then.

Interviewer: how long was that for?

Father: Nearly two months. Basically it was the whole of the school holidays. And what she did was, 'you won't let me take them [abroad], so I'm going to have little days out' and they just happened to be at the weekends, or the time I was meant to have them.

Interviewer: So she didn't actually say you're not seeing them, she just made it so you didn't see them.

Father: Yes. But she did threaten to stop all contact altogether at that point. (Non-resident father)

As one might expect, most of the threats to stop contact were mentioned by non-resident parents in relation to the behaviour of their ex partners. One father, for instance, who had been at loggerheads with his ex-wife over a series of financial issues, said she frequently responded in this way:

Father: Most of her arguments are over money. And it's always been over money, all the way through. She were using it as an excuse and trying to refuse me access over money. One incident was when I'd got a lump sum from somewhere and she were arguing that she were entitled to half of it straight away. And I turned around and said she weren't entitled to it as all the debts would be paid first. And that's when she started throwing a paddy and saying right, you're not having the kids until I get my money.

Interviewer: Did she actually act on that threat? Did she ever stop your contact?

Father: No, she's threatened often enough but I don't think she's ever stopped it.

Interviewer: Do you think she ever would? Are these just idle threats?

Father: I think it's just to rile me up. Because it used to rile me up when she first started it, trying to stop me access to the kids. (Non-resident father)

There were also some examples, however, of resident parents acknowledging making such threats, and of non-resident parents either admitting having threatened to stop seeing the child or resident parents reporting them doing so. Indeed in one case, according to the resident mother, both parents, at different times, had threatened to stop contact. At one point this mother said she had become exasperated by father's unreliability:

I, like in the heat of the argument, I said 'well if you're not going to comply by seeing him regularly you just won't see him'.... And he goes, 'I'll take you to court first', I thought well take me to court cos I haven't stopped you seeing [child]. (Resident mother)

On another occasion an issue had arisen over mother's refusal to let the child have contact with father's new partner:

Then you see, [father] said, 'well if [father's new partner] can't see him, I can't.' So I said 'well that's your choice, but you're letting her dictate to you whether or not you can see your son or not'. He said, 'no you're dictating to me'. I says, 'I'm dictating to you that I don't want you to see him in her company. I'm not stopping you seeing him'. So he says, 'I'll take you to court'. (Resident mother)

In several of these cases, as in the one mentioned immediately above, the non-resident parent's reaction was to make a counter-threat – to take the matter to court. How far such threats were effective in preventing contact being stopped is difficult to gauge. However clearly some non-resident parents thought they had been:

She started in the very early stages with all that sort of talk, and then I said 'well okay, if it's

going to be like that then we're going to have to go down the legal route, you know, and I'm going to have to go and see about getting access and stuff like that'. And at that point she got scared then because she knew that she wasn't within her rights to start saying, 'you can't see your daughter. Cos there was no good reason for me not to see her, you know. Had I been a bad father or you know, had I been abusive or anything like that, then yeah, I might not have had a foot to stand on. But it was all emotional and it was all stuff, you know, that she was trying to use against me. It was all the bitterness of the break-up, and she was trying to use it against me. So then she realised that she wasn't in a very good position cos potentially I could have been given more access than what she was allowing anyway. So she backed down on that then. (Non-resident father)

The impact of interrupted contact on children

Surprisingly few parents commented on the effect which interrupted – as opposed to intermittent or unpredictable - contact had had on their children. The resident parents who had stopped contact had all done so because they felt they had good reasons, and perhaps felt that the benefit from stopping contact outweighed any negative effect on the child. The scarcity of comments may be because in most cases the interrupted contact was in the past.

In one family, the child's contact had been interrupted because her father had not asked to see her (according to the resident mother). Contact had restarted again in this family but remained intermittent. The mother discussed the period of interrupted contact in terms of the disruption to the child's routine rather than the emotional effects of stopped contact.

The thing was she'd got used to seeing him every Saturday. And she knew she'd do a week at school and then Saturday was when daddy was there. I mean it has been an upheaval but she has adjusted well, yeah. (Resident mother)

This non-resident father felt that his intermittent absences hadn't really worried his children, and downplayed the effect it might have had on them:

Father: They always seemed very relieved to see me again. But I don't think it bothered them that much to me honest. Kids are kids.

Interviewer: You don't think they missed you?

Father: I think they missed me, but I think they always knew I was going to come back.

Interviewer: So they never have thought 'Dad's gone and we're never going to see him again?

Father: No, no. (Non-resident father)

A couple of parents pointed out that the parent-child relationship needed work to rebuild after long periods of no contact:

He was spending six to eight months of the year out of the country, when he used to come back, he'd then expect to have her every weekend. And I was like, 'no hang on you can't do that, you've been away for so long with no contact, no phone call no letter no card, with nothing, and it's very hard for a child to.... A child can't go like that' [snaps fingers]. [And he's saying] 'so what if I go away, you know I should still be able to carry on as normal'. ... Six to eight months was a very long time to go without seeing somebody at all and having no contact. (Resident mother)

Interviewer: Was it difficult to build a relationship [after several years interruption], how was that?

Father: It was, not difficult, but I guess just a little bit awkward. Because he was my son and I'd been very very close with him before and we'd had a very very close, loving, father son relationship. He was only a baby so he didn't remember any of it cos he was only two years old at the time it all went kaput. And he was obviously a totally different child to the one that I'd seen all those years ago. So um, you know, there were a lot of bridges to build, and I think we spent a lot of time together at the weekends, doing stuff. And we got to know each other, and that's just progressed and progressed over the years really. (Non-resident father)

Summary

Findings from the national survey

Over a third of all non-resident parents (and half of those who did not have current contact) said that their contact had been stopped by the resident parent at some point. However total or persistent blockage was unusual, reported by only 13 per cent of non-resident parents, compared with 23 per cent who said it had been stopped only occasionally.

Resident parents were much less likely to say that they had ever stopped contact (13 per cent of those where there was current contact and eleven per cent where there was not). Typically these parents were referring to occasional stoppage. Only seven per cent of those whose child had no contact said this was because they had blocked it.

The problems which caused permanent contact stoppage were very similar to those which led to temporary suspension with the exception of disputes over child support which rarely led to complete stoppage.

Non-resident parents most commonly referred to the child's views or bad feeling (20 per cent and 18 per cent respectively of those whose contact had been stopped more than occasionally).

Resident parents also mentioned these issues: the child's views in 13 per cent of instances where contact had been stopped more than occasionally and bad feeling in 19 per cent. Thirteen per cent said they wanted the child to build a relationship with their new partner. However the main reason given was concern about the child's welfare (38 per cent of those who had stopped contact more than just occasionally). Almost half of these parents cited a serious welfare concern about the non-resident parent i.e. drug or alcohol abuse, mental illness or child abuse. Nineteen per cent said they had had fears about their own safety. No-one said they had stopped contact more than occasionally because the other parent was not paying child support although 15 per cent said they had done it at some point.

Findings from the in-depth interviews

Interrupted contact was common in the in-depth sample. All the resident parents who admitted stopping contact explained it in terms of welfare or safety concerns as did several of the non-resident parents alleging it. Several cases of interrupted contact were attributed to the non-resident parent not taking up contact while in a few families it was the children who were resistant for a while.

Where contact was re-established having been blocked by the resident parent almost all cases were resolved by the actions of the child, the involvement of third parties, or the resident parent feeling reassured about the child's safety or a combination of these. Only one case involved solicitors. Where it was the non-resident parent who had stopped contact, sometimes they simply changed their mind; sometimes it was the intervention of the child or other family members which was instrumental although no-one identified the resident parent as the catalyst. Resident parents did seem to play more of a role in encouraging reluctant children.

In the few cases where a child's contact had completely ceased two involved stoppage by the mother (one because of child abuse; the other for no reason the father could furnish). In a third an older child was refusing any contact with the mother with whom he had previously lived.

In addition to the instances where contact had actually been suspended there were others where threats of contact stoppage were said to have been made (by both resident and non-resident parents), sometimes dealt with by counter-threats to take the matter to court.

Chapter 14: Co-parenting

The Children Act 1989 promulgated the principle that both parents retain parental responsibility after separation. It also provides that whichever parent a child is with at the time has the power to make day to day decisions about them. We were therefore interested to investigate the extent to which parents were actually co-parenting and whether this was a problem area. (Note: co-parenting does not imply shared residence, or indeed any particular division of parenting time).

Findings from the national survey

The national survey did not examine co-parenting in separated families in any great detail. We asked whether parents had encountered 'serious disagreements about how to bring up the child' and found that this was fairly common – in families where the child had contact 17 per cent of both resident and non-resident parents said that this had been a problem. Disagreement about raising children was not one of the most common problems to actually have an impact on contact, however, with just six per cent of resident and seven per cent of non-resident parents saying that their child's contact had been affected by this issue and very few saying that these disagreements had led to contact stopping temporarily.

In families where the resident parent had stopped contact, six percent of resident parents said they had stopped it because of different views about parenting, and five percent of non-resident parents said that they thought this was one of the reasons behind the resident parent stopping contact.

Findings from the in-depth study

As one might expect, given that our in-depth interview sample was composed entirely of parents who said they had had contact problems, only a minority of parents appeared to be co-parenting in the sense that there was at least an element of joint decision-making about aspects of the child's life unconnected to contact, and/or the sharing of concerns. Most of the non-resident parents in these cases, in addition to any contact they had, were said to be actively involved in other aspects of their children's lives, (e.g. attending school events, sometimes with the resident parent; taking the child to activities/watching the child take part in sport etc.). The resident parents in this group seemed committed to facilitating this involvement, sometimes referring to their awareness of their own good fortune in being able to spend so much time with their child and wanting the other parent to share in this as much as possible; occasionally commenting on how they would have felt if the positions had been reversed:

> *I always try to include him. Much to the disgust of my parents. They say [child] is yours; he lives with you, you don't need to tell [father]. But I think I do. If the shoe was on the other foot I would want to know if [child] was going to the doctor's, I would want to know about decisions about school and school trips and things. (Resident mother).*

> *If she's done something or said something, or there's something new, we email each-other. If she says something funny I'll e-mail him, 'you won't believe what she's just said'. And then he'll come back when he drops her off and say 'oh, mum told me she did this'. So we're talking about this child but we're not friends. Not as 'I want to be friends with you' but 'this is going to be, that child is for ever in our lives so you can either be a bitch and make life difficult, or you can just go, hang on a minute, I'm never going to get away with this, let's just'. He'll come and say 'you won't believe and she fell down and she said this, and this morning she did this'. It's nice, so I don't lose her when she's there. Because I feel I'm losing time watching her grow up. She's only there three days but she might say something I've never heard before, so I've missed out on that or she likes a new song, I wasn't there first. So I feel like I don't lose out. And then I make sure I tell him as well so he doesn't feel that he loses out when he's not with her. (Resident mother)*

Several parents in this 'high levels of co-parenting' group also made comments explicitly referring to their sense of post-separation parenting as a joint enterprise:

I try to involve him as much as I can because I don't want him to miss out on anything. I see so much already that I want him, to make sure he can have that involvement as well to make sure that he don't feel left out, that he is part of her life. We still care for each other because we have had a daughter together, it is a big step to take with someone, bigger than marriage. You can get divorced from marriage, you can't chuck a child in the bin. (Resident mother)

The parents in this high co-operation group were, in the main, fairly comfortable with the level of co-parenting which had been achieved (although it must be acknowledged that the majority of respondents were resident parents and if we had been able to interview their ex-partners the picture might have been different). There were only a couple of resident parents reporting high levels of co-parenting who were not happy with this; they seemed to be worried that attempts to restrict the other parent's involvement would destabilise the situation.

A second group of parents, while not achieving the levels of co-parenting described above, were nonetheless sharing some aspects of parenting. These parents had higher levels of dissatisfaction than the 'high co-parenting' group. Typically the non-resident parent in these cases would be attending some of the events concerning the child or there would be discussion about some issues, but joint decision-making was unusual.

I would have liked that sometimes he took more of an interest, like when she was coming up for her school and that, and I was saying 'well these are the schools that I've found' and I did say to him 'do you want to look around', but there was just nothing. [But] when she didn't get into the school, he was straight round my doorstep, well what are you going to do about it? [But] believe it or not, providing that I give him all the information and tell him when the sports days are and tell him when parents' evenings are and I book it all up and tell him, he will go. So he has done those things, which does surprise me cos he's a bit half and half really. Certain things he will do and other things he won't. ...[I wish] he was more supporting me with her growing up. ...I mean I actually asked him a couple of weeks ago would he have a talk to [child] about her behaviour and the way she is – 'you talk to her and see if there's a problem'. But he never did. He said 'well I'm here there and everywhere and I was busy'. To me he's got a flippant attitude of fatherhood. (Resident mother)

Resident parents, as in the quotation above, typically wanted the non-resident parent to play more of a part in their children's lives and/or to support them in the tasks of parenting. Non-resident parents, for their part, wanted the resident parent to allow them to play more of a part, to consult them about important decisions, to tell them of events they might wish to attend; to give them the opportunity to look after the child when the resident parent was not able to:

When [child] started school here. You have to fill out this form so of course she's [child]'s guardian so all the forms went to her. She didn't even consult me on it. I said, 'look, things that you should be discussing with me, you're just making a decision on your own'. (Non-resident father)

[Mother] gets primarily all of the mail [about the child]. She does tell me about [school events], but only because I ask. If I didn't ask she probably wouldn't say anything. (Non-resident father)

[child] has been off [school] this week cos I rang up and [mother] said he hadn't been well since he'd been up here. She turned round and said, 'I've had to take more time off work and use my holidays and I can't keep doing this'. And I said 'well I'm off tomorrow'. 'Well it's alright cos I've asked me mum now to come over.'...So you've had to ask your 75-year old mother to come all the way to look after him, but you won't ask your ex husband who's more than happy to come and look after him. She will involve me when it suits her. (Non-resident father)

The largest single group consisted of parents whose accounts indicated very little co-parenting, if any, was taking place. The majority of non-resident parents reporting this were dissatisfied with their position:

Interviewer: So you don't really discuss what's happening with the boys; you're not really parenting them together?

Father: No, and I haven't been for a long, long time. I get occasional copies of their school

reports. I have been to their schools on a couple of occasions to discuss with their teacher, but only when she can't make it, she'll say can you do this? And I'm glad to, I get insight into how they're doing. I'm basically denied parenting, if you like, by the fact that I'm not there. (Non-resident father)

Interviewer: How far are you involved in decisions about his life?

Father: Not at all. I don't push and that comes back to the fact that I'm scared that she would pull the rug from under my feet. She likes to feel she's in control. [child] is her little boy, her project if you like and she wants to control that. She'll allow me to come in now and again, drift in and out. Unfair but what the heck. (Non-resident father)

[child] came to me and said 'oh Daddy why haven't you come to see me in the school play?' And I didn't even know that she was in the school play. It just breaks my heart because [child] would love for me to be there, to see her in the play and everything and there's nothing I can do about it cos I just don't have you know, those kind of relationships. [Mother] pays lip service to [co-parenting] but you know, it just doesn't happen. There's an element of my child, not our child. And it's frustrating, it really really is frustrating because I want to be involved in the decisions. (Non-resident father)

Nonetheless there were a few non-resident parents who indicated they were comfortable with their limited role, or were resisting taking a greater part:

When it comes to schooling, as long as they've done what I've deemed it necessary to do then I'm quite happy for them to organise it. I think any major decision like that, she keeps me in the loop. As long as I know what's going on I'm quite happy. Several times she's actually phoned me up and said 'can you have a word with your son please'. And I said, 'well what's the point? I'm not going to do him any favours. I can talk to him 'til I'm blue in the face, and he will listen and he will say 'yes dad'. The moment I've left your house I'm out of the equation again, 'Dad's not there. It's not Dad's house'. (Non-resident father).

Somewhat surprisingly, while some resident parents in this group did express a wish for their ex-partner to be more involved, most seemed to have either accepted the situation or, sometimes, to prefer it.

Mother: I just had to make the decisions, it's not been a conscious thought. I do it all, I do the whole lot. He just pops up now and again and gives her a treat at the weekends. I have told him when there's been things going on at the school. Her first day at school when she started last September. I told him and said, 'it'd be really nice if you came'. He couldn't even make it to school for quarter to nine. He turned up at about twenty to ten with some mad excuse. At least he tried, but I thought, 'you couldn't even make it for one day to be on time'. That's what he's like. Accept it.

Interviewer: So do you feel that you've learned to accept what he can do, and not get too stressed out about what doesn't happen?

Mother: Yeah, cos I kind of think, I know my role in the relationship I have with my children, and that's it. You know, if you want to have a bit of input, fine. But if there's anything, if I think anything's going to perhaps disrupt her, I will say no. and no means no, there is no compromise with me. (Resident mother)

He applied for parental rights, which I refused cos he didn't need them. Cos in my view he wasn't going anywhere where he needed any parental rights with my daughter. And I was advised that he could turn round and say, right she's not going to that school, I want her going to this school. And he wasn't involved in the picking up or dropping off or anything else, so to me he just did not need parental rights. He hasn't been involved in her life since the day she was born. (Resident mother)

Interviewer: To what extent do you actually share any of the parenting?

Mother: We don't. He doesn't contribute financially, he don't go to any parents' evenings. I send him a copy of the school report but that's about it. He doesn't make any decisions.

Interviewer: Would you like him to be more involved?

Mother: Not really, I've seen what he's grown up like. He's not been a very good lad; he's been in prison, various things like that. But no, I don't want him to; his dad's not got the same beliefs as me. I believe if they're being bullied at school they should go and tell the teacher. He thinks they should belt them and have a fight. I'm trying to steer him away from that; I don't want him to grow up being like that. (Resident mother)

One interesting point to emerge from the data was that the level of co-parenting described by some resident parents could be different for individual children. Usually this was because they had different fathers. Thus one mother said that the father of her older child was very involved with everything to do with the child's life and described what appeared to be a comfortable parenting relationship, whereas the father of the younger children occupied a much more marginal role:

My relationship with [A, the father of the younger children] is very different from the relationship that I have with [B, the father of the oldest child). A still doesn't speak to me, you know, won't come to parents' evening. He's not supportive at all. Where B will come to parents' evening, together, and like if [child]'s naughty then B will speak to me about it and I'll speak to [child], you know, we speak to him together. (Resident mother)

Occasionally, however, resident mothers also described fathers being less involved with one child than another, while in one instance, the mother admitted that she was deliberately excluding the father from any involvement with her older child's schooling because the father had unilaterally decided that he was not going to fund the child continuing in private education:

I didn't want him going to any parents' evenings or anything cos I thought well I know he's the father but why should he, if I've still got to pay, I don't get a full bursary. Why should he be involved in anything? (Resident mother)

Differences over parenting

Information was not always available about differences between the parents over the child's upbringing. More than half our interviewees, however, made explicit references to this issue. Interestingly, the greatest differences were reported by parents who had moderate levels of co-parenting.

The differences cited varied widely – from disputes over whether a child should be vaccinated or baptised, to different practices in relation to the child's diet, clothes and activities. There were two major bones of contention, however - education and rules/discipline. In terms of education parents reported disagreements over where the child should go to school (and in one case, whether the child should be home-schooled), or complained that the other parent did not take sufficient interest in the child's education or did not ensure they attended regularly, or more broadly, did not provide them with sufficient stimulation. Differences over rules/discipline mainly related to non-resident fathers exercising or wanting stricter control to be exercised over the children, although some mothers also complained of fathers being 'too soft' or 'spoiling' the children.

Where parents were, or had been, at odds over parenting, in general only one area was in dispute or issues flared up only occasionally. A few parents, however, seemed to have more global differences or were chronically in conflict. Two of these cases involved children with special needs, who, one would imagine, particularly required their parents to be able to work together, but whose difficulties might make that more than usually difficult.

Interviewer: So do you feel that [father], sort of lacks insight into her condition?

Resident mother: Oh, he does. Whether he agrees with it now I don't know but he didn't agree with the diagnosis. And we had to get together with the psychiatrist and talk it all through, you know, to try to get him to understand.To [father] I'm pampering her, I'm giving in. And I'll say 'no I'm not, I know she has issues'. He does try and control, like, I've obviously put something in place, like even bed time. And she lives here, she doesn't live with him all the time. And of course then [the child's] agreeing to it so he interferes in some respects, in the things that he says and that. Sometimes I think to myself, if there wasn't him in the picture and it was just myself and her step-dad making the rules, it would be easier.

I try to say to [father] that because she doesn't like change, let's try and work together. But it doesn't really work with him because if he wanted to go off out and take him with her, he wouldn't care what time she might go to bed. ... Again he had a big issue about her having her medication, and he doesn't take her sleep tablets over to his house. At one stage it was 'she doesn't need them. She doesn't have a problem getting to sleep'. But she initiated it, she came to me and said 'I really need my sleep tablets at my dad's'. So he's not really tuning in I don't think, as much as he should be, to her needs, and paying attention. (Resident mother)

The fact that parents differed in their approach to parenting issues did not necessarily mean that they were in open conflict. Some took the position, or at least had reached it over time, that they just had to accept that things were done differently in the other household:

I know that tonight, having been with him last night, they'll both be in bed early because they tend to come back tired, and naggy sometimes. I've tried to say to him that the kids should go to bed then, this that and the other, but I can bang my head against a brick wall, because at the end of the day they're in his care. (Resident mother).

A few others, particularly non-resident fathers who were concerned about their children's health or education, took unilateral action, e.g. by contacting the school directly, or referring the child for medical/psychiatric help. Neither strategy, one would have thought, was likely to foster harmonious relationships.

Children's comments on co-parenting

Most children were unaware of whether and how their parents discussed issues around parenting. The only child to comment on this was the girl below:

Interviewer: Do you have to take messages between your parents?

Child: No. They have meetings every so often about how things are going. I think they get the issues done there and then. (Girl, aged 11-13)

We asked children to compare their experiences in different households. Most children did not think that there were big differences in house rules, or that their parents expected significantly different standards of behaviour. Several children did feel that their non-resident parent was less strict:

Interviewer: Are they both equally strict with you?

Child: My dad doesn't… he just lets me run about and stuff. (Boy, aged 8-10)

On the other hand there were also several who thought that they were better behaved when they were with the non-resident parent.

Interviewer: Do you feel you have to be really well behaved when you're with your dad?

Child: I feel like I'm more behaved when I'm with my dad that when I'm with my mum.

Interviewer: Can you explain why that might be?

Child: I don't know. I think it's just cos I've been with my mum longer and I've not been with my dad that much. (Boy, aged 14-17)

In a couple of cases the child's answer revealed that they felt more like a guest than a family member when visiting the non-resident parent's home, something we have touched on elsewhere.

Interviewer: Do you think you behave differently here then you do when you're at your dad's?

Child: Yes. Here it's much more relaxed. But at dad's like, if he asks me to do something I'll do it! [laughs] Because I don't want to upset him.

Interviewer: Do you feel more like a visitor there?

Child: Yeah, definitely. (Girl, aged 14-17)

Child: Because at my dad's well because it's not where I properly live I don't have to do washing up unless I want to and like here I have to fill the dishwasher and that, I don't mind it but there are some differences.

Interviewer: What about discipline, who is more likely to discipline you?

Child: Mum. I get more discipline when I'm with mum because I sometimes back chat her and I get more discipline.

Interviewer: Do you not do that with dad?

Child: No.

Interviewer: Do you know why that might be?

Child: I think it's because I don't get to see him a lot. (Girl, aged 8-10)

Although some of the children described minor differences between the households, and in the parenting style of their mother and father, most did not describe any large differences. Even where children did talk about contrasting rules or the 'feel' of the homes none of them felt this to be a significant problem.

Summary

Findings from the national survey

Seventeen per cent of both resident and non-resident parents taking part in the national survey reported 'serious disagreements' about how to bring up the child although few said it had affected contact. In families where the resident parent had stopped contact, six per cent of resident and five per cent of non-resident parents attributed this to disagreements about the child's upbringing.

Findings from the in-depth interviews

Only a minority of parents taking part in the in-depth study were co-parenting in that there was some joint decision-making about the child's life and/or concerns were shared. Most were comfortable with this although a couple of resident parents were not but felt unable to restrict the other parent's involvement.

A second group were only sharing some aspects of parenting. These parents were more dissatisfied with resident parents typically wanting the other parent to play more of a part while non-resident parents wanted their ex-partners to allow them to do so.

In the largest group there was very little co-parenting. Most of the non-resident parents reporting this were dissatisfied with their position; only a few resident parents said they were, most had either accepted the situation or, in some cases, preferred it.

Interestingly, where half siblings were involved, resident mothers sometimes described engaging in high levels of co-parenting with one non-resident father, low levels with another.

More than half those interviewed reported differences over parenting. This was most likely to apply to those in which there was only some co-parenting rather than where there was either high or low levels of co-parenting. Although the issues were very varied the most common were education and rules/discipline. A few parents seemed to have differences over several issues or were chronically in conflict over how to bring up their children.

Most children were not aware if their parents discussed issues around parenting. They also generally did not think there were big differences in house rules, or expected standards of behaviour. However several children felt that their non-resident parent was less strict while a few said they were better behaved at the non-resident parent's house.

Chapter 15: Services – experiences and suggestions

This chapter looks at what services families used to help them with contact, and what services they did not use but thought might have been helpful to them or to other separating families. It also covers families' attitudes and beliefs around contact rights and the family justice system.

Limitations of space on the national survey meant that we were not able to ask parents much about what services they had used, and nothing at all about what they would have liked. Thus the bulk of the data is drawn from our in-depth interviews.

Findings from the national survey

The only questions about services we put to parents participating in the national survey were whether contact was currently supervised by a professional person or contact centre (only one per cent of resident parents and even fewer non-resident parents reported this) and whether they had used the legal system in determining contact arrangements.

As we reported in Chapter 4, very few parents had used the legal system to make contact arrangements. Eight per cent of resident and nine per cent of non-resident parents said that contact arrangements had been decided in court, with seven per cent of resident and three per cent of non-resident parents saying that the arrangements had been sorted out with the help of a solicitor. Data from the in-depth interviews indicates that these figures for the use of solicitors might be something of an under-estimate (parents may have used solicitors even though the contact arrangements might have been determined in other ways). However there was nothing in the in-depth interviews to suggest that the figures for the use of the courts were inaccurate. Moreover they are consistent with the previous ONS survey (Blackwell and Dawe, 2003).

As one might expect, parents who had used the legal system were much more likely to be those with problems. Eighty per cent of resident and 75 per cent of non-resident parents who said contact arrangements had been made through a solicitor or court reported that problems had affected contact, compared with only 35 per cent and 42 per cent of those who did not use the legal system.

What was more striking, however, was that in most cases where problems had affected contact, parents had not used the legal system (70 per cent of resident and 82 per cent non-resident parents). Even where resident parents reported having had serious welfare concerns about the non-resident parent almost half 49 per cent had not used courts or legal advice to arrange contact. Similarly, only 19 per cent of non-resident parents who said they had ever experienced contact stoppage had been to court over this issue.

Findings from the in-depth study

One key aim in this part of this study was to explore what, if any, services parents used to help them arrange and manage contact and their views on what would have been useful. This includes services helping parents to come to an agreement about contact arrangements, services which were used when there was a problem affecting contact, and services for children whose parents are in conflict or where children are experiencing difficulties around contact. We were interested in whether families who did not use the courts used other services to come to decisions about contact and resolve disputes.

Solicitors

Parents who used solicitors

Where parents had been married, solicitors were quite likely to be involved in deciding contact arrangements, either initially or some time after separation when the family ran into difficulties. This applied to nearly all of the previously-married parents. Many of these families, however, had not used solicitors specifically to help them negotiate contact arrangements. Rather, it was most common to use solicitors for other aspects of the divorce, with contact being a side issue which was covered in the settlement but not in great depth.

> *No, I went to see about divorce, about a year after we'd split. Just because I wanted to formalise stuff because he was so unreliable. But all they put in the proposal papers that the solicitor sent back to me, and I didn't follow it through because it was just a waste of time, [it said] Mr and Mrs X have an amicable agreement, he has open access to the children and they've privately sorted that he will pay £200 a month for the three children. (Resident mother)*

However there were several families where solicitors had been more involved in arranging contact. This was in the cases where parents could not come to an agreement between themselves, and also where families experienced difficulties around contact some time after separation.

> *This time last year [child] said he didn't want to go, he wanted to play rugby. So I said 'right well he doesn't want to come this weekend'. And he said 'oh I've got a court order he's got to come, I'm coming to school and I'll pick him up, and that's the end of it'. So I rang my solicitor and she said 'he hasn't got a court order, you've got an agreement that he'll see them every other weekend'. And she said, 'let him take you to court, because if he does there isn't a judge in the country that'd make a twelve year old boy go to his dad's if he didn't want to. (Resident mother)*

> *And I got a letter from the solicitor that this must stop, this behaviour must stop, the children are not allowed to get into bed with you. And I thought, 'what's going on here? Am I suddenly some kind of paedophile?' So I couldn't believe it, I went to see my solicitors about this, and they said, 'you mustn't let her have any ammunition, anything at all, don't do it is my advice'. (Non-resident father)*

> *Father: In the meantime we were still fighting through solicitors. That went on for nearly two years.*
>
> *Interviewer: What was that fight about? Was it about the contact or about money and all the other things?*
>
> *Father: It was all kind of intermingled. I wanted regular contact, I wanted them to be able to stay over. I proposed it to my solicitor and he would put it her solicitor and she would come back with a 'no', or 'no, you can only see them at this point', etc. (Non-resident father)*

Resident parents who had not been married to the child's father rarely reported using a solicitor. In contrast, nearly all the non-resident fathers who had not been married to the child's mother, had done so. In fact, of all the non-resident parents interviewed just two had never used a solicitor for contact arrangements. This perhaps supports our hypothesis that the national survey (and hence the in-depth interview sample) contained a greater proportion of non-resident parents who are strongly motivated to ensure that contact happens than would be found in the whole population.

There was limited information in the interviews about why non-resident parents chose to use a solicitor. Where they had previously been married to the child's mother in some cases it seemed that there was a belief that getting a solicitor was just what you have to do when you divorce, and it was unclear whether they would have otherwise used a solicitor to deal with contact. A few had used solicitors simply to formalise a mutually-agreed arrangement, and some had gone simply for advice and information. However the most common reason was to try to secure more contact than was currently occurring. This applied to about half of all the non-resident fathers interviewed and all those who had not previously been married to the child's mother.

Parents who did not use solicitors

Around half the resident parents we interviewed did not use solicitors at all, and, as mentioned earlier, these tended to be the parents who had not been married to the child's other parent. Generally, it seemed that for these parents, the choice not to use solicitor was not a deliberate decision but the default route, and that solicitors were unnecessary, rather than that they were too expensive.

Interviewer: When you split up, did you use any sort of advice services or legal services, did you go to a lawyer or solicitor, mediator, anything like that.

Mother: No,

Interviewer: You just sorted it out between the two of you?

Mother: Yeah.

Interviewer: And did you think that you didn't need that cos you weren't married, or it just wasn't complicated?

Mother: It just wasn't an issue. He never put any demands on and I just assumed that I would do what I were doing, you know. (Resident mother)

However there were a couple who had actively decided to keep solicitors out of the separation and arrangements for contact.

My own viewpoint is that I would rather keep things between him and me rather than going through everything else and causing more aggravation and I think it would cause a lot more hate and arguing if there was someone else in the middle sorting everything out. (Resident mother)

Satisfaction with solicitors

Levels of satisfaction with solicitors varied. Many parents were quite pleased with the service they had received– not unexpectedly, these tended to be the ones who had more or less achieved the outcome they sought. However, even where solicitors had helped to achieve the desired outcome, complaints about expense were common, as was the perception that solicitors were only in it for the money.

Some parents felt that their solicitor had written more letters and dragged things out longer than was necessary, in order to bill the parent. The father quoted below, who had not succeeded in getting the contact he sought, felt most strongly about this, but the theme was repeated by several other parents, resident as well as non-resident:

Don't be led down the garden path of letters back and forth because it doesn't work and it just costs you more and more money. And the amount of money that solicitors make out of it is absolutely obscene. And I know they have their charges and that but there's no way it should cost them the amount of money that it does. And the more bitter you get the more money it's going to cost you, because they are not bothered. And I don't care what solicitors say, they do not care, because all they are interested in is making the money. That's the be all and end all of solicitors, they're in there to make money and they're basically living off people's misery. (Non-resident father)

Some parents felt that their solicitors had not been honest with them, either leading them to expect outcomes which were not achieved, or in one case going behind the client's back to negotiate directly with the other parent's solicitor.

A few parents thought that involving solicitors in the separation and contact arrangements had made things worse than they would otherwise have been. It was rare for one parent to use a solicitor without the other one also seeking representation, and in some cases solicitors' role as 'professional arguers' seemed to worsen the relationship between the parents.

I have to say that the solicitors weren't particularly helpful. It just seemed to be a lot of letter writing and getting nowhere. Basically it was 'we want this and if we don't get it you're not having this'. It seemed to be a lot of fighting between the solicitors for one-up-manship. (Non-resident father)

Father: It really caused a lot of aggro, really a lot of aggro between me and [ex-wife], the solicitors.

Interviewer: So it made your relationship worse than it had to be?

Father: Oh yeah, dramatically. Only because what they were writing was utter lies, utter utter lies. Couldn't have been further from the truth. And yet she said, 'well I didn't say that'. 'Well you must have said something, he didn't pick it up from fresh air.' ... And [me] being neglectful, not giving her any money, and saying that [child] didn't really know his grandparents, all that kind of thing. And it was just total utter lies. So I got angry obviously about that. So we agreed, I said 'look can we just put a halt on these letters and try and work it out'. (Non-resident father)

A couple of parents felt that their solicitor had not improved matters at all, either because the other parent had a better or more aggressive solicitor, or because their solicitor gave up too easily. The parents who felt this way had not sought another solicitor instead; in both cases it was clear that the parent felt disillusioned and believed that the experience was likely to be repeated:

Father: I went to see a solicitor a few years ago when there was a problem, went to see the solicitor and told him what was happening, this that and the other. He said 'oh right, yeah not a problem, we can sort this out, you're entitled to see your children'. Anyway, a few solicitor's letters later he said, 'you might as well just call it a day'. ...I just couldn't believe it. 'Well here's your first letter that you wrote to me, saying yes I'll take this on', and then that was it. ...

Interviewer: OK, did you try and find a different solicitor?

Father: No, I didn't. I thought about it but I really don't want to be getting involved with all that. It's not the money, it's just the hassle and the grief and the upset, and everything else that goes with it. (Non-resident father)

And finally, one interviewee pointed out that sometimes parents need the type of advice which most solicitors do not give:

I appreciated the professional advice. But sometimes you don't really want that, you just want someone to come in and say 'look, you've both been daft, bang your heads together and sort it out', which a solicitor won't do. And it was only when she started quoting this £165 an hour that you realise it's a bit of a game for them. (Non-resident father)

Mediation

The national survey did not ask parents whether they had used mediation, but it was an area we explored in the in-depth interviews. Around half of the ex-married resident parents reported using formal mediation[10] at some point to try to make arrangements for contact. None of the non-married resident parents had done so and only two of the non-resident parents (one who had been married to the other parent, one not). It is not clear why it was far more common for resident parents to report using mediation than non-resident parents though it may be linked to their greater use of legal advice. All the parents who had used mediation had also used solicitors, although not all of them had heard about mediation from them.

Parents' experiences of mediation were mixed. Some found it helpful:

Mother: Yeah. We went through mediation and agreed that there'd be open access and contact for the children, and the financial things and all that sort of thing were all agreed there.

Interviewer: And was that by and large quite a useful experience, how did you feel about the mediation?

Mother: Yeah, it went very well. Certainly there was no animosity as to how things worked out. It was a good process and I do know from other people's experience that some people don't find it useful, but it worked for us. (Resident mother)

This non-resident father reported that although mediation had been difficult it had helped him and his ex-partner to reach an agreement:

Father: I must admit I lost my rag in both [mediation sessions] despite training myself, you know when you say 'I will not lose my rag'. Because [mother] will say something, before

10 By 'formal mediation' we mean mediation witha trained professional, rather than using a famiy member or friend as an arbitrator or to guide and contain discussion.

she's even sat down she's lying. ... So we had a couple of lively sessions of that. The mediator probably got fed up with us by that time. ...

[later in interview]

Interviewer: But it did actually help, going to mediation?

Father: Oh it certainly got us as far as getting an agreement but from my point of view I'd have liked to have thought that we could have reached that between ourselves, but we would never have got to that stage. (Non-resident father)

Not surprisingly, however, given that the parents taking part in our in-depth interviews had all reported having problems over contact, it was more common for parents to report that mediation was not a success. This was generally because one party did not see the point or would not cooperate.

Mother: He turned around and said he didn't need some effin idiot to finish his marriage.

Interviewer: Right. So how did you avoid the courts then?

Mother: We went back to the solicitors and we just said, you know, 'mediation has broken down', and the two solicitors sort of fought it out. (Resident mother)

Well we went to mediation. We lasted four sessions and she walked out. What happened was, it's her way or the high way. As soon as the mediator guy said, 'yes, but he's got a point', and it happened two or three times, I could see it, and she said 'well this is no good' and stomped out. (Resident father)

Parents who had not used mediation fell into two main groups: those who had not heard of it (or misunderstood its purpose – it was common for parents to think we were talking about reconciliation), and those who thought it would not be useful in their family. Attitudes to mediation are discussed further later in this chapter.

Interviewer: Did you know about mediation.

Mother: I think I heard about it since rather than at the time.

Interviewer: OK, yeah

Mother: Yes, sure I heard about it afterwards, but as I say, he was with another woman for two years and I was oblivious to it.

Interviewer: Mediation doesn't have to be just about trying to repair a relationship, it can also be when a relationship's over but trying to smooth it out and make arrangements for the child and that...

Mother: Oh right, for the child. Didn't know about that. (Resident mother)

Mother: That was another thing that the solicitor said, he said 'why don't you go to mediation'. ... And I thought, well you won't ever get him to come down here. I take it it's like on a set time, is it?

Interviewer: Yeah, you make an appointment.

Mother: And I thought, I can't see him actually sticking to a set time or anything. Cos he's just, you just can't pin him down to set times or anything. (Resident mother)

Father: It wouldn't have helped at all because I didn't like my wife one bit.

Interviewer: Right, so you wouldn't have been able to sit down and talk

Father: No, absolutely not, I didn't want to be in the same room with the woman, simple as that. (Non-resident father)

Contact centres

None of the non-resident parents, and only one resident parent taking part in the in-depth study reported using a contact centre. This mother had experienced violent harassment from her ex-partner and said that he was frequently drunk; she was therefore unhappy about allowing unsupervised contact while her daughter was young. It was striking, however, that she had not been referred to the service by a professional but referred herself, having heard about the centre through a relative who volunteered there. Her experience was very positive:

> *Mother: We used to go up there, think it was an hour. Every Saturday morning, 11 'til 12. And they'd go off in one room and play. ... There was somebody sat in the room, and there was either one or two other ladies in the middle room, so (the child) knew where I was if she wanted to come and get me or anything like that. And towards the end of that, to begin with I used to go and get in the room before he got there cos I didn't want any aggravation in front of (the child).*
>
> *Interviewer: Right, and leave [your daughter] with one of the volunteers?*
>
> *Mother: And then he'd come through another door and meet her.*
>
> *Interviewer: OK. So it sounds like it was quite well organised then?*
>
> *Mother: Very well organised actually, must admit. It is a very good thing. ... I did think it was fantastic, I told loads of people about it. (Resident mother)*

One other resident mother mentioned contact centres, but felt that they were not necessary for her child. This mother had experienced serious domestic violence from her daughter's father but had been able to put other arrangements in place so that contact could take place without her having to meet the father:

> *Interviewer: You mentioned, right at the beginning you mentioned people using contact centres and handover places. Have you ever used anything like that?*
>
> *Mother: No.*
>
> *Interviewer: It's always just been family?*
>
> *Mother: Yeah. But we would have done if we didn't have relatives that were willing to help. I suppose, if he really wanted to, I wouldn't have sorted it myself but if he'd decided he wanted that I would have been happy to do that. At a proper sort of supervised access place. ... But it just didn't pan out that I'd needed to go to an access centre cos his Nan was there. And that suited us at the time. (Resident mother)*

Parents' attitudes to using the family courts

As noted above, the national survey found that in many families parents with serious concerns about welfare had not used the courts to decide on contact arrangements. This was borne out by the families in our in-depth interview sample which included, for example:

- A family where the non-resident father had a chaotic lifestyle, including heroin use;
- A family where the non-resident father had been jailed for violence towards the resident mother;
- A family where the non-resident father had abducted the child shortly after the parents separated, there had been domestic violence, and the father was using drugs during contact visits;
- A family where the non-resident father was a chronic alcoholic and periodically became abusive and threatening.

In all these cases, despite their concerns, the parents had found a way around the difficulties without involving the courts, so that contact continued (see Chapter 10). We have also noted in previous chapters that despite the fact that several non-resident parents said that their contact had been impeded at some point and others were unhappy with the amount of contact they had, none of them had used the family courts. While many had not ruled out using the family courts to secure contact in the future, they were often quite wary of doing so.

Non-resident parents gave a variety of explanations for their reluctance to use the courts, with most citing more than one reason. Several worried that children would have to be involved with court processes and felt that this would affect them:

I thought no, it's just not worth it, cos at the end of the day the children are going to suffer. ...And I didn't want that. (Non-resident father)

One father thought that court action might affect his relationship with the child:

But I don't really want to go down the court route, if I can help it, because it just makes you out to look bad and you don't know what [mother] is saying to [child]. (Non-resident father)

And another thought that it would lead to more conflict and arguments rather than helping to resolve the situation:

I'd like more contact with [son] but I do truly believe that will come in time and as long as he's happy and he recognises me and I can feel that I'm putting something, some enjoyment into his life, something positive into his life, I really don't want to go down the road of upsetting things. Because it would. (Non-resident father)

Some fathers spoke of bias in the legal system, or in society's assumptions around child care and residence. It was a common belief among non-resident fathers that the family law system was biased against fathers on the issues of residence and contact. Since none of the non-resident parents in the sample had actually been to court this belief was clearly not based on personal experience. Rather interviewees referred either to media reports or to the experience of friends and relatives:

Father: In my experience the courts are very lenient with the mothers.

Interviewer: When you say your experience?

Father: My friends and relatives who've been to court, basically the mother gets what she wants because she is the parent who's there and it's well 'I need this for the children'. Mothers are treated differently in courts. (Non-resident father)

You get the impression that the courts are 100 per cent against dads, no matter what's gone on, no matter how bad the mother is and how saintly the dad is, you get the impression the courts are like, bang, the dad's the enemy. (Non-resident father)

One resident mother also felt that the courts looked more favourably on mothers, although she was not entirely confident that if the matter had gone to court she would have obtained a residence order:

Mother: He said he'd take me to court

Interviewer: Did that prospect have any effect on you?

Mother: Oh yes, I got scared. I knew I shouldn't have done because normally the Mum gets all the rights but I was scared that he could get [child]. (Resident mother)

Some non-resident parents were also sceptical about the worth of contact orders (though again, we should emphasise, this was not on the basis of personal experience). There was a perception that there was little that the courts could do to ensure that contact happened:

Father: My ultimate threat to her was we'll go to court and get a court order and get it written down. But then she would always say things change after that and that's true, you don't have to abide by it and everyone knows you can't really enforce them, the courts don't really enforce them to any extent.

Interviewer: You've said a couple of times that everyone knows you can't enforce a court order. What makes you say that?

Father: I spent an awful lot of time on the internet and seeing people's stories and listening to the radio, they've had a few phone-ins and you tend to get fathers on the phone saying I don't see my children. (Non-resident father)

Again, if she did do that [break a hypothetical order for contact], they're not going to put her in prison, are they? ...So they can break it and do what they want anyway, nothing's going to happen, not going to get punished in any way. (Non-resident father)

There was also a common perception that the court process would be unpleasant, long and painful, and a couple of fathers said they simply did not feel up to it. One father additionally felt that there was a stigma attached to using the family courts to resolve issues with contact:

> *It's the stigma of going to court as well. It's hard to keep that sort of thing quiet. It's a sign that you can't manage to resolve it yourself, it's a failure. (Non-resident father)*

Interestingly, very few non-resident parents cited cost as their main reason for not using the courts.

None of the resident parents who had not used the courts to decide on contact had considered starting court proceedings to rule on contact. Other research has found that contact orders are only rarely sought by resident parents (Hunt and Macleod, 2008). Resident parents often felt that going through the courts would necessitate the involvement of their children, and their concerns about this were similar to the concerns expressed by non-resident parents. All the resident parents who mentioned children's involvement in family court proceedings felt that it would be a bad thing for children and wanted to protect them from it:

> *I look at it and think, god, there's so many people that go through courts, I never wanted my children dragged through courts over access, there's no way I'm going to have my kids go through that, it's horrific. (Resident mother)*

Again, there was a common perception among resident parents that the court process would be unpleasant.

> *I mean lucky enough we didn't go to court, but because again, it's not a nice time. (Resident mother)*

Future use of the family courts

However, even though the courts had not actually been involved, the idea or the threat of court was not far from many parents' minds. Many resident parents reported that the other parent had brought up the possibility of court action (mostly over contact but sometimes over residence) in the past, and they often felt that this was a threat held over them. Although some perceived it as a rather empty threat, others were more worried about the possibility.

> *The thing is it took us two years to get divorced and there were periods when negotiation was going on when it was hell, and there were all kinds of threats [of court] all the time during that first two years ... (Resident mother)*

Similarly, it was very common for the non-resident parents in our sample to say that they had thought about using the courts to arrange or formalise contact, or had actually threatened it.

> *Father: I have actually got to the point now where it doesn't bother me, she can say whatever she wants, I'll just go to the courts, because once I've got a court order, if she stops the kids access then she's liable and she will actually lose the kids altogether if she carries on, eventually.*
>
> *Interviewer: So you feel fairly confident that if it came to the push and you took this to court that you'd win?*
>
> *Father: Yes. (Non-resident father)*

We asked parents who had not used the courts whether, in retrospect, they wished they had. Some resident parents said they would have liked the security of knowing they had been awarded residence, others could see that there were benefits in having arrangements in writing. Some, however, felt that the disadvantages of using the courts were too great, or that the courts weren't necessary for them and that it was better to sort things out privately.

Non-resident parents' feelings varied too: some thought it would have helped if there had been a legal order, whereas others, as discussed above, were cynical about the other parent's readiness to comply or the enforceability of contact orders. Some were ambivalent:

> *Interviewer: Do you regret that you didn't go to court about it?*
>
> *Father: Yes and no. Perhaps if I had it would be laid in stone and there would have been some recourse if she had reneged on it. I doubt it very much.*

Interviewer: So there's a bit of you that regrets not going to court but on the other hand you don't think you would have got...?

Father: I don't think I would have got anything more. (Non-resident father)

There was also one father who worried that his choice not to use the courts might make him look bad in the eyes of his son when he was older.

I may regret [not going to court] in the future if [child] comes and says 'why didn't you want to make a bigger issue of it?' I'll have to deal with that if and when that time comes. (Non-resident father)

Scepticism about contact orders, a perception that the courts were biased, and reluctance to take part, or involve children, in an unpleasant process were all factors in parents' choice not to use the family court system. Moves to permit more detailed reporting of family court judgements, recent research demonstrating that the courts are not biased against non-resident parents (Hunt and Macleod, 2008) and implementation of new measures to tackle the problem of non-compliance with contact orders set out in the Children and Adoption Act 2006 may go some way to redressing the negative image of the family courts which was so prevalent in this sample. Conceivably, these may have the effect of encouraging more parents to seek the assistance of the courts. Whether that would necessarily be good for families or children, however, is of course another matter.

The Child Support system

Those who mentioned the child support system were invariably highly critical. Our in-depth interviews showed that although arguments about child support were common, these arguments generally did not affect contact. As discussed elsewhere (see Chapter 11) this does not mean that disagreements were minor. We did not generally ask parents to discuss possible improvements to the child support system because this was not one of the central aims of the research, but the main criticisms centred around CSA inefficiencies, a perception by some non-resident parents of harsh treatment, and criticism of the formula used to calculate liability. As noted previously, some non-resident parents were also concerned that the child support they were paying was not being spent on the children and one wished that it was possible to have a system which would ensure that this happened, suggesting vouchers which could only be spent on the child.

Other services

Families reported using a variety of other services, sometimes when making the initial arrangements for contact and sometimes later when problems arose. These services included:

- Social services involvement after allegations of sexual abuse (in one family the non-resident father was suspected and all contact ended, and in another family there was evidence that another child had abused the child who was visiting her father; contact continued).
- A domestic violence service who suggested contact should be stopped after the mother was the victim of serious domestic violence (contact continued via third parties),
- In several cases, police intervention was required after harassment of the resident parent.
- Several families used a family psychologist: to advise on how to handle the parents' separation, for family therapy; to discuss the effects of separation on the child.
- Counselling services, psychiatric support and GP support for parents with depression (resident and non-resident parents).
- Family support services for resident parents who were not coping well after separation.
- Independent advice from Citizens' Advice Bureaux and the Lone Parent Helpline.

Changes desired by parents

Parents' interviews did not reveal strong trends or consistency when we asked them what – other than factors to do with their ex-partner - could have been better, or what might have

helped them. In general, and understandably, parents' answers focused rather narrowly on their own situation.

Rights of non-resident parents

Although the topic was not discussed in every interview, where it was all parents assumed that non-resident parents had a legal right to contact and were surprised to find that there was not one.

Most parents also felt that there should be a legal right, although a few qualified their answer to indicate they were wary of allowing potentially dangerous parents an automatic right to contact:

> *Mother: You would think that as a parent they should have a right to see the child, no matter what's gone off between two parents children are entitled to see their parents, you would think wouldn't you?*
>
> *Interviewer: I think most people do [believe] but there isn't actually a legal right.*
>
> *Mother: Well that's wrong.*
>
> *Interviewer: Do you think there should be?*
>
> *Mother: Yes, I do. Obviously unless the child's at risk. (Resident mother)*

> *I think it's got to be individually, you've got to take it on an individual basis, you can't globally say all fathers can have the right. Let's say, if they're cocaine addicts, surely he shouldn't be allowed to have contact. (Non-resident father)*

One resident mother was clear that there should not be an automatic right to contact. In the months after separation she had arranged supervised contact because she was very concerned about the father's drinking, and had experienced violent behaviour and harassment from him for some time after the split:

> *Mother: I mean, as I say, had he carried on the way that he was doing, she'd never have gone out with him. I did everything to let her see him under my control, that I knew she wouldn't come to any harm. But I do think in certain circumstances they should be kept away. I mean if he'd carried on on the road he was on I wouldn't have let her have the contact. ...*
>
> *Interviewer: So was that that you felt she'd be at too much risk?*
>
> *I did think she was in danger, definitely. (Resident mother)*

Another resident mother said it should depend on the non-resident parent's motivation. This parent felt that in her case, the children were being used as pawns, and that their father asked the children to report on the mother's life:

> *Interviewer: Some people would argue that just because they're the parent they should have a right to contact.*
>
> *Mother: I do believe that in some cases they do have a right, but if it's for the right reasons, which in my case I don't think it is for the right reasons. (Resident mother)*

Shared care

Some non-resident parents went further and said that, as well as a legal right to contact, there ought to be a presumption of shared care in law. This was not raised in many interviews but where it was, most non-resident parents were in favour.

> *I think unless there is a danger to the children, and where practically possible, there should be equal contact. Or at least a right to equal contact. I don't mean six months here and six months there but the same amount and it should be fairly written in stone that both partners should contribute to that. (Non-resident father)*

> *Interviewer: One of the things the fathers' groups have been asking for is that there should be a legal presumption of 50:50 contact, that should be the starting point. What do you think about that?*

Father: I think that's right, it should always start at 50:50 access. At the moment it's always favourable for the female to have the kids. (Non-resident father)

Resident parents were, overall, more cautious about the idea of 50:50 shared care, citing the negative effects this could have on children or the difficulties associated with such an arrangement:

I would just feel that would be really disruptive, that they didn't know, they wouldn't have – I can't explain what I mean – they wouldn't have a proper home. I don't think I would have liked that. ... It would be good for them to see him more but I don't think splitting half a week and half a week, I wouldn't do it that way. I'd say maybe have them for a whole week every few weeks so they were with him a lot longer. But I'd rather them just have one place which they knew as home. (Resident mother)

One non-resident parent, while in favour of shared care where practicable, was also sceptical about its feasibility:

Interviewer: Some people argue that children should be split, 50:50.

Father: If you could do that, yes. But what sort of effect would that have on the children? The kids would have no stability in their life. If I lived here and she lived in the next street down that would be great, because they would still see the same people, but if you live in different parts of the country you cannot do that. So if circumstances permit I would think it was a great idea. (Non-resident father)

Two of the younger children we interviewed were keen on the idea of having two homes and sharing their time equally between their parents.

Interviewer: What would be your ideal arrangement?

Child: Half the week here and half the week there.

Interviewer: Why would that be better for you?

Child: Cos then I get to see them equal. (Boy, 8-10)

Parents who said they had shared care arrangements were not part of the in-depth study (see Chapter 2). However there were a few families where the non-resident parent had suggested this at some point. As we have seen, there was little appetite for this among resident parents but a couple of non-resident parents had either attempted to secure this in the past or were hoping to move towards it.

I'd started with going for 50:50 access and before she actually moved out we'd been arguing for three or four months. But I was advised by my solicitor to only go for access while I weren't at work. (Non-resident father)

Father: I was reading a book to [some other children] which was about a girl whose parents had split up and were going through this process of going through mediation and asking the girl, who was about 10 or 11 at the time. And she ended up doing a week with one, a week with the other. So that gave me the idea. And I thought, it's probably not that uncommon. But in practicalities, it wasn't worth broaching. That was probably an ideal thing at the time, but now I don't think it would be in [child's] interests in the long run.

Interviewer: That's interesting, why not.

Father: At the time I thought, we only live 20 yards apart, you think a week with me, a week with her mother would be a good thing. But I think to a certain extent being with her mum's best for the majority of time. (Non-resident father)

The only other legal change suggested, and then by just one non-resident parent, was for there to be limits on resident parents moving within the UK. This interviewee had previously been concerned that his ex-partner and child might move some distance away. He felt that his relationship with the child would have been compromised by such a move and suggested that the non-resident parent should have to give permission.

Father: Somebody told me that they actually have to get permission if they're going to move away that far, because it's not within a certain distance and it's not easy to get to, take too long to get to and stuff. But I don't know if that's true or not.

Interviewer: Not if it's in this country.

Father: Maybe that's something that could be looked into. Because if she had moved up to [place] it would have been an hour and a quarter away, each way. So it would have made it very difficult for me to see [child]. (Non-resident father)

Suggestions for services for separating parents

The need to provide a range of services to meet different needs

A key aim of the research was to ask participants what services, information or advice they felt they could have benefited from, or were lacking for separating parents. It was clear from the responses that different people would have found different types of service useful: one size clearly would not fit all. Thus some parents would have liked more face-to-face support, while others did not think it was for them:

Mother: I think it would be amazing if there was just more available through the authorities.

Interviewer: So almost, a one stop shop for people who are separating, is that the kind of thing that you mean?

Mother: Absolutely, yeah. You know like the NCT [National Childbirth Trust], which is a wonderful thing, we went to all those sessions when I was pregnant ... and I think more of that would have been, would be brilliant. (Resident mother)

Interviewer: If there had been something, a shop on the high street that offered information and advice for people who are separating, would you have gone in there?

Father: No, I wouldn't have, I don't think so. It's just not me. I'm very much like my father, the old school where the blokes are staunch, we never cry, like hell we don't, load of rubbish. (Non-resident father)

Parents also wanted different amounts of information. One said she would have liked a kind of reading list; 'case studies or books to read ... just more information that you didn't have to go out and seek'. Another parent suggested a kind of checklist that could be used by separating parents to help them think through the decisions that had to be made. Interestingly none of the parents mentioned making use of the parenting plans which are available to do precisely this.

The need for advice

The importance of quality advice was often mentioned by parents – generally when they were asked what they would like to say to parents who are separating (see Chapter 16). One resident mother felt that if she had had better advice at the time she would have been able to stay in the family home. We did not ask parents specifically about whether the advice provision had been adequate for them, but many non-resident parents said that there was a lack of provision for fathers. Previous work by One Parent Families|Gingerbread has found that lone parents often do not know where to go for advice when separating, or for advice on contact problems (Moorhead *et al*, 2004).

Support for non-resident parents

One theme which emerged in our interviews with non-resident fathers was that they felt there was nothing that addressed their particular needs: although there were services to help and support resident mothers, there were not the equivalent services for them. Several commented that a service targeted at separated fathers would have been useful:

Father: I think there should be more out there for fathers who are separated from their children, to help them.

Interviewer: What sort of things?

Father: I don't know. Maybe a dedicated ... something that was specifically for fathers in that situation. Like Citizen's Advice but a fathers' advice bureau, F.A.B. (Non-resident father)

Interviewer: What do you think would have helped you, going through all this? Is there anything that might have been done differently, any services that might have helped?

Father: I think there needs to be something in place to help the man. I believe that whole-heartedly. There is a vast amount of support out there for women, all the support networks are generally for females ... I don't think there's enough help, there aren't enough people out there who will look at it from the man's perspective and say, 'well actually no, hang on a minute, you could do this, you could do that'. ... I think there needs to be something put in place where blokes who genuinely want to spend time with their children, who are fighting tooth and nail with an ex-partner for whatever reason, should have something there to just point them in the right direction, to say,' if you go down this path you might get better results'. ... [later in interview] So the absentee parent, there's got to be something put in place, even if it's just specialist advisors, or a helpline. (Non-resident father)

There are, of course, some services aimed primarily at fathers, notably Families Need Fathers and the Fatherhood Institute, as well as various activist groups. Certainly not all the non-resident fathers in our sample were aware of these resources so better information and signposting may be needed. However this may also be an area in which the development of a greater range of services may be necessary.

Alternatives to court for resolving disputes

As discussed above, some of the parents in our sample had used a mediation service. Among those who had not, while some thought it would not have been suitable for them, others recognised the potential benefit of having such a service widely available, although they did not necessarily call it 'mediation' or feel that it should be labelled as such. In fact some parents seemed to be a little wary of the term 'mediation', which suggests that it may have negative associations. This may be because they viewed mediation as part of the legal process rather than something which could be helpful for parents whether they are using the courts or not. The perceived formality of mediation was also clearly a disincentive for some.

Work things out yourself, if you can't, you know, bring in some independent people, you know, maybe family members or whatever. (Resident mother)

As mentioned earlier, a few parents thought that mediation was only for people who were considering repairing their relationship and had not realised that mediation could take place after separation. Indeed in general the comments of the parents we interviewed in the in-depth study showed that there is still a fairly low awareness of the mediation services that do exist, and what mediation is for.

If you can, what would be really helpful is like the Americans do it, I think, where instead of having the solicitors there, there should be someone like a mediator, but someone legal like a judge, a retired judge, anybody with a bit of legal nous, who could sit down with two people and say 'OK, lets go through what we can achieve, or what you want to achieve and see if you can find a common ground'. A mediation service. I know Marriage Guidance, fair enough, can be helpful, why can't we have something that is like post Marriage Guidance. (Non-resident father)

Interviewer: Where contact is happening but it's difficult, is there any way they could be helped, anything that could be put in to make it easier?

Mother: Probably some kind of independent person, not mediation but an external person. Because I think the majority of people don't want to go down the line of 'I'm going to see a solicitor'. Because then it starts to get really messy. Whereas maybe something like community support, in terms of right, listen, youse are adults, just somebody basically speaking common sense who isn't in your family. (Resident mother)

One non-resident parent pointed out that, realistically, mediation services have to be paid for, whether from public funds or by the participants. His comment raises the interesting question of how such services should be funded. If the participants are required to bear the full cost it will be a disincentive for many parents, but a completely free service may become overloaded.

> *Mediators, to a certain point, the first thing you do when you sit down with a mediator is talk about how much it's going to cost. And again I suppose you can't get away from the fact that everything has got to be paid for. If you made it free I can imagine there would be a long queue at the door. (Non-resident father)*

Other professional services

Some respondents had suggestions about how existing services could change to support families through relationship problems and separation. Comments included ensuring that health workers act on suspicions of domestic violence, and making sure police do not dismiss reports of harassment or domestic violence. Two resident parents had used social services for help with their children's behaviour (although it was unclear what had caused the behavioural problems) but had not found their advice and support to be very useful.

Several non-resident parents also felt that schools should make more effort to include both resident and non-resident parents after separation. Some non-resident parents had not had difficulty getting information from and being included by their child's school, and some did not feel very strongly about being kept informed about their child's education. However, some of those who were very keen to stay involved and informed had found it very frustrating where schools did not facilitate this:

> *Lack of communication, terrible, terrible, and not just one school, all the schools. And colleges, the lack of communication was pathetic. You know, when the kids first went to school I'd go down the school, meet the teacher, meet the headmaster, headmistress, and say, 'you know we are separated so if you do send my wife information about a forthcoming event, please keep me in the loop', and then you find out you haven't been informed. The next minute you're on the phone, going, 'well what's going on here?' 'Oh, have we got your address and telephone number?' 'Yeah, of course you have, I gave it you. How many more times do you want it? You've got my work phone number, my home phone number, my mobile, got my address', and it was absolutely useless, absolutely useless the school was. Well, my experience of all the schools they've been to, and the colleges as well, just the same. (Non-resident father)*

Peer support services

Apart from suggestions as to how professional services could help separated families more, one resident parent also suggested that separating parents could be mentored and supported by parents who have experienced it themselves.

> *What I think they should do is have somebody who's a single mum who's got through it. Somebody like that, somebody who is mumsy, a mumsy person to come and say to you don't worry, this will get better. (Resident mother)*

The HomeStart scheme could be a model for this – HomeStart assigns volunteers who are parents themselves to families with young children who ask for support.

As we report in the next chapter, when asked what advice they would pass on to other parents our interviewees had some very sensible points to make. While it mirrors the professional consensus about what helps to make contact work for children, parents might find it more acceptable coming from other parents who have been through the process themselves.

Services for children

As we reported in Chapter 9, many of the parents interviewed in the qualitative study said that they had concerns about the impact of contact problems on their children's emotional well-being or behaviour. We have discussed the families where the resident parent felt that the child had either become more 'clingy' or more aggressive and where parents felt this was due in part to their non-resident parent's unreliability around contact. Many also raised issues about the more general difficulties their children had experienced which may, or may not have been directly attributable to parental separation. There did seem to be a fairly high rate of concerns among our parents, which included concerns about their child's psychological well-being (anxiety, depression and eating disorders); their educational performance; aggressive or disruptive behaviour at school; bedwetting, nightmares and stuttering in younger children, and for older children, aggressive or confrontational

behaviour towards parents and concerns about truancy and shoplifting. Since the focus of this research was not on the impact of parental separation on children we cannot cover it in detail but we include a few quotes below to illustrate some of the problems reported, where parents felt the problem may have been linked to separation or problems after separation:

Cos [daughter's] got an anxiety problem as well ... Must be about 18 months now, she sort of developed an OCD problem, checking things. She's on medication for it now but she's more that way inclined anyway I think, before the OCD thing developed.... It seems things have affected her a lot more than I thought really. (Resident mother)

Mother: [Child's] attitude, very aggressive, very disrespectful. Greedy, expects everything. He used to kick me, punch me, bite me if he couldn't get his own way.

Interviewer: How old was he then?

Mother: That went on for a couple of years actually.

Interviewer: When he was little?

Mother: Four or five years old. ... But then it did change from him actually taking it out on me all the time to wrecking the house. Throwing things, kicking the doors, tipping chairs upside down, really disruptive. But yet he was such an angel when he was at daddy's.

Interviewer: What was that all about?

Mother: I never ever got to the bottom of it. (Mother, non-resident for this child)

I find out that he's got into a fight at school with his best friend. He was very aggressive at this time and I really didn't know how to handle it. So we did go and see a psychiatrist. And it was all because of the relationship with his father and the thing about school and everything. And I think he felt, well putting words into his head, I think he felt a bit let down by his dad. (Resident mother)

Mother: He got a stutter. It was quite bad, it's not so bad now.

Interviewer: When was that?

Mother: After his father went. He started speaking quite early. Then when he started pre-school it got really bad then. But we seem to have got over it.

Interviewer: Do you think that was to do with the separation or just his age and development?

Mother: I don't know. But it certainly was at the same time, so you can make that link. (Resident mother)

She did battle to cope with going from daddy's to mummy's. Always on the night she comes back she used to have nightmares. You would if you got used to being in one hotel and then got sent somewhere else and it's not your own choice. So she did go through that. That's just stopping now, in the last few months. (Resident mother)

Despite what appears to be quite clear evidence of need, it was unusual for parents to mention that their children had received any professional help. Only a few had had help from mental health services. One family had used a child psychologist for help with bedwetting problems, linked with the child's anxieties about the birth of a baby to his father and his new partner. A mother said that a psychiatrist had helped her son to deal with his anger over the parental separation, and a father said that a psychiatrist was helping his daughter with an eating disorder. Another reported a session of family therapy which had not been successful and expressed disappointment that this had not been handled well. One other resident mother said that her child had used a Relate service for teenagers though it was unclear what the nature of the service had been.

Most parents were not particularly forthcoming, either, about any services they thought might have been helpful. One resident mother, who said that her child had been helped by counselling in the past (in relation to sexual abuse) thought that something similar could have also helped her deal with the emotional effects of the separation.

Two parents (one resident, one non-resident) suggested the idea of a neutral adult who would be able to act as a neutral intermediary and represent the child's feelings and wishes to the parents. A third parent asked whether there already was something similar.

> *Like the Cafcass sort of system. Just for someone to get involved with the children, totally independent, and the parents, as a mediator. You know. But when you say mediation you suddenly think you're sat across the table, you know, with your ex-partner, and it's going to be 'grr'. But not to do it like that, to speak to them as individuals, separately, and see what they all feel. (Non-resident father)*

Such a service – child-inclusive mediation – is already established in Australia and interest is growing in the UK with Cafcass in the process of developing a pilot scheme for families using the courts.

Children's own experience of, and suggestions for, services

We interviewed one child who had experience of using a contact centre. She described it in broadly positive terms although she was clear that she preferred seeing her father outside the centre. She had plainly understood that the centre was a compromise measure and although it was not ideal for her, she thought it was better than having no contact at all.

> *Child: I used to go to this place and for an hour you get to, your other parent, you get to see him there and you eat there and you get to play with these toys. I used to do this with dad while mum waits in the waiting room. And there's this room and there's one of those big football things, one of those game things. And there's lots of toys and you can play with the parent that you don't get to see. ...*
>
> *Interviewer: Would you suggest to parents that [using a contact centre] is a good way of seeing the other parent if it's that or not seeing them at all?*
>
> *Child: Yes because I think it's easier seeing them there than not seeing them at all. Parents can sit in the waiting room or they can stand at the door and watch.*
>
> *Interviewer: You think that made mum happy as well?*
>
> *Child: Yes.*
>
> *Interviewer: And dad?*
>
> *Child: Yes.*
>
> *Interviewer: So it's a way of keeping everyone happy?*
>
> *Child: Yes it's a way of keeping everyone happy that they can still see their child. And the mum's all right, she can see them and she'll be with them.*
>
> *(Girl, aged 8-10)*

Three children told us that they had had extra support through the school – either from their regular teachers or from specialists.

> *Child: When I was at my last school. I got really upset. I got mad cos someone was annoying me. I told the specialist, like me and my brother had behaviour problems, like playing out [misbehaving] in lessons and all that. There was this person that looked after us and we told her.*
>
> *Interviewer: Had you always misbehaved in class?*
>
> *Child: No, it was when me parents were splitting and that.*
>
> *Interviewer: Why was that do you think?*
>
> *Child: Well I'm upset and people started taking the mick out me parents and I get really annoyed. And I lose my temper easy. (Boy aged 14-17)*

Children were, if anything, even less forthcoming than their parents with suggestions for services or information that would have helped them, possibly because most of those interviewed felt that their contact was largely satisfactory. Most children said they had not sought out information or books about parental separation or contact. Although some were unsure if information would be relevant to them, there was a feeling that it could perhaps be useful.

Interviewer: Have you ever tried to get any information about contact?

Child: No.

Interviewer: Would you like to?

Child: Yeah.

Interviewer: What do you think would help?

Child: If you read a book. (Boy, aged 8-10)

One child, however, stressed that circumstances could be very different and information needed to be tailored to individual need:

Interviewer: Do you ever try to get information from books or web-sites or anything?

Child: No I try and sort it out myself because I feel that it can be a bit different. Everybody has their own experiences and I feel that sometimes things work, but sometimes they don't depending on what the situation is. I try and do it my own way so that I can learn from my own mistakes… personally I think everybody has different situations to deal with but if there was a special web-site you could go on to where there was a general answer that could be adapted to your own situation then that could help. (Girl, aged 11-13)

Most children said that they would turn to their parents, other family members, or their own friends if they were worrying about contact, and some had good relationships with teachers to whom they could turn. However one child, whose parents had a fairly poor relationship, and who had witnessed violent behaviour, said he would have liked a neutral adult who could help.

Interviewer: Would you like to have someone else to help?

Child: Yeah like it would also build my confidence up speaking to them about it. It would make me feel happy thinking there was someone else I could always turn to if there's summat wrong.

Interviewer: Would it help if they were nothing to do with the family?

Child: Yeah cos then they can't judge each other's stories. If they took your story and the stories from the parents then they'd be just stuck in the middle. (Boy, aged 14-17)

Summary

Findings from the national survey

A small minority of parents in the survey had used the legal system to make contact arrangements – eight percent of resident and nine percent of non-resident parents said the arrangements had been made in court. A further seven percent of resident and three percent of non-resident parents said they had used solicitors to come to an arrangement on contact.

Where problems had affected contact, most parents had used neither courts nor solicitors (70 per cent of resident and 82 per cent of non-resident parents reporting that contact was ongoing but had been affected by problems). Even where the resident parent had had serious welfare concerns about the other parent, although the use of the legal system was much more common, it was not the norm. (49 per cent had not used courts or solicitors). Only 19 per cent of non-resident parents who said this had been a problem had been to court over the issue.

Findings from the in-depth study

Most of the non-resident parents we interviewed in depth had used solicitors, as had most of the resident parents who had been married to the other parent. Resident parents who had not been married tended not to use solicitors. The resident parents who had not used solicitors generally said that they viewed solicitors as unnecessary rather than too expensive. Often when solicitors were used at the point of separation for married parents, it seemed that contact was a side issue, with solicitors formalising agreements arrived at by

parents rather than negotiating the arrangements. In several families, however, solicitors were involved in arranging contact where parents could not agree, or where problems had arisen some time after separation. Satisfaction with solicitors varied and several parents commented that involving solicitors had increased hostility between them and their ex-partner.

Around half of the ex-married parents reported that they had used a formal mediation service at some point to try and make arrangements for contact. Although some found it helpful, it was more common for parents to report that it was not successful because of the other party's attitude to the process. Nonetheless, although several parents who had not used it were sceptical about whether it would have worked for them, many parents thought that it was a good idea in general. Awareness of mediation among the parents who had not used it was quite low and while several parents suggested making mediation-type services more widely available there was clearly an aversion to anything that was perceived as being 'too legal' or 'too formal'.

Parents' responses to the question 'what would have helped you?' revealed that a one-size-fits-all approach to supporting families is unlikely to work. Some parents liked the idea of face to face, 'one-stop-shop' support whereas others felt this wouldn't have been for them. Parents often mentioned the importance of quality advice around the range of issues that arise during separation and fathers in particular felt this advice was lacking, which may be why so many non-resident parents used solicitors.

The families we interviewed in-depth who had not used the courts sometimes included resident parents with serious welfare concerns, or non-resident parents who wanted more contact. The family courts had a bad image among these parents although they had not any direct personal experience of them– non-resident parents were concerned about bias and the effectiveness of contact orders, and both types of parent worried that it would not only be unpleasant for the adults but more importantly for the children involved. However, many parents had not ruled out using the courts in the future – some non-resident parents felt they were running out of other options and some resident parents felt that the other parent used the threat of court action to obtain the contact they wanted.

When parents discussed parental rights around contact they were surprised that non-resident parents did not have legal rights to see their children. Most parents (resident and non-resident) did feel that there should be a legal right although some qualified this in recognition that some non-resident parents may not be safe with a child. Several non-resident parents thought that there ought to be a presumption of 50:50 shared care after separation but this was not a common suggestion, and resident parents were more cautious overall about this.

Chapter 16: Advice from parents and children

We asked both resident and non-resident parents what advice they would like to pass on to other parents who were going through separation or encountering problems around contact. Children also offered their advice to other children and to parents in other families. Many of their comments reflect approaches which are widely considered to be 'best practice' but hearing parents' and children's own words on this is powerful.

Messages from parents

Towards the end of the interview we asked participants what advice they would give to other parents who were separating. Overwhelmingly the central message they wanted to convey was the need to focus on the child and to put their interests above their own.

> *You've got to remember that those kids should come first. Whatever you do you should do for them. They didn't ask to be brought into this world, you did that, you made a choice, your responsibility's lifelong. So I would say, whatever you do you must do for the best for them. (Non-resident father)*

> *You have to just think, what is best for this child. For their mental well being and security, emotional balance and all that. And it's hard to put them first, it really is, but to try to do that I think is the key. What, how will they feel about it, how will it affect them now, in five years time, when they're adults, how, what will this behaviour do to them? (Resident mother)*

Thus parents, it was said, need to see beyond their own emotional turmoil, appreciate what the separation means to their child and seek to minimise the effects:

> *It's paramount that you focus on the kids. Forget about your own, don't wallow in your self pity, just think about your kids. Protect them, look after them. It's a load of rubbish really that kids bounce back. I think that's just a cop out. As traumatic as it may be for the parents when they split you've gotta think of your kids. Because it's the kids that really are important in this, that they don't get damaged by it. And I struggle with that at times. I'd hate to think of the kids when they were little going to the little dark place of their own, being upset and thinking about mum and dad. Because really kids shouldn't be in that situation, kids shouldn't have to think those thoughts. It's just wrong isn't it. (Non-resident father)*

> *[Parents] have got to understand that it's a big thing for a child to lose one parent. Especially if they've got used to them for quite a few years, I mean [my daughter], as I say, she was only three when we split up and she didn't see that much of [father] day to day anyway, but even she's been affected by it all. So their feelings do come into it. We make the mistakes and they're the ones that end up suffering for it. (Resident mother)*

It is also therefore vital that parents learn to keep their own negative feelings about the other parent and their past or current behaviour separate from the post-separation parenting issues:

> *You've just got to think about the children, not about yourself, not about the money, just about what makes that child happy. Really at the end of the day, as long as your child's not in any danger and there's no other reason other than you being completely selfish and going, just to be spiteful to the ex. You can't put your children in that. It's about them, not about what you want. (Resident mother)*

> *Forget your bitter jealousies and hatreds, one thing and another, your own relationship, think about your kids. (Non-resident father)*

I can understand why people would want to make things as difficult and be as inflexible as possible. But actually it all comes back to well who's paying the price here. What are you doing, you're winding him up, the kids are going to see him and be stressed out because he's wound up, they're not going to have a good time. Put the kids' needs before your own. Cos it really does feel good when seven years later you can turn round and say, I wasn't a horrible person, And you've just given [the other parent] a chance to be a decent parent. I think your kids learn more from that. (Resident mother)

Beyond these central precepts, parents suggested some specific do's and don'ts. Thus:

Don't

Badmouth the other parent

I've spoken to people that have divorced after me, and I've said if I've got one bit of advice for you, however you feel about your ex, don't say it to the children. Say it to me if you wanna get it off your chest but don't say to your kids, 'your mother's a nightmare', or whatever. It's not right and it'll come back to haunt you. Although it's bloody hard, that's the number one. If you have to say terrible things about your ex, go to the bloody pub or find a mate and do it there. You know. But don't do it with your children, seriously. (Non-resident father)

Do not under any circumstances slag (the other) person off in front of the child. Cos it's not nice. That is one thing I would say, if you've got any opinions keep them to yourself! It is not nice when your kids come home and say, 'oh Daddy said this, or Mummy said this', because it just makes the situation worse. Cos you just think to yourself well what have I done to deserve that? And it just makes the kids unhappy cos they think, mum and dad are gonna argue again, next time they see each other it's gonna be, 'why did you say this or why did you say that?' So if you've got anything to say either say it to each other or keep it to yourself. (Resident mother)

Expose the child to parental conflict

Don't argue in front of the kids. Don't put 'em through any more. It's bad enough for them when their parents split up without all the unnecessary arguing and shouting. I'm not saying I didn't a couple of times but you know. (Resident mother)

Use the child as a weapon to get at the other parent

Never use them as a weapon, ever, ever, that's disgraceful. You may get each other with it but it's the kids that are going to suffer. (Non-resident father)

Grill the child about the other parent

None of this questioning about each other, because I don't think it's fair to be quite honest. I didn't want [child] to be in the situation that's he'd come here and it'd be like 'Oh what's your Dad doing, what's she doing. At the end of the day what his Dad and them do, if he wants to tell me he'll tell me. (Resident mother)

Do

Communicate with the other parent

I think the main thing that I would say is to try and get a conversation going with your ex-partner, and to try and maintain that, and if you can't do that yourself to get a third party involved to help you. Because I think if we'd done that [it] would have made it a lot easier for everybody. (Resident mother)

Try to maintain a civil, and if possible amicable, relationship with the other parent

Just try and be amicable for the children's sake really. I found that's worked for the kids. I found it a struggle obviously. It's very hard, you know, in the early days especially, it's really hard and very frustrating. But for their sake if you can establish as soon as possible some kind of amicable relationship for the children it's got to be better, hasn't it. (Resident mother)

As much as it hurts you, to try and at least be polite and have that kind of contact, so your child doesn't feel that they're being torn between one and the other. (Resident mother)

I think you have to be almost business-like and professional in your own relationship. (Non-resident father)

Learn to stay calm and bite your tongue

I think from my own experience I would say try not to let it get out of hand. Be as calm about the situation as you can. If one partner's getting really really anti about something, just hold your hands up and walk away from it. Say I'll come back and talk to you when we've calmed down, I'm not prepared to discuss it. And it worked for me, that's all I can say. (Non-resident father)

I do bite my tongue, you have to. Just try, it's hard not to argue with them int it? It's hard not to have arguments. But just bite your tongue. I curse him behind his back, not to [child] of course, but to my mum usually. (Resident mother)

Ensure the child feels comfortable talking about the other parent

I encourage her to talk about it, and I'll be like, 'oh I bet Daddy was really funny when that happened', or whatever. And I want her to be able to say what she's done and I want her to say, 'yes, I've had a nice time', or 'I've not had such a good time.' I just want it to all be out there because it's about her, it's not about me and him. (Resident mother)

At the end of the day I've always said, we're adults. We've got to deal with it. If he wants to talk to me about his dad I'll sit and listen. If he wants to talk to his dad about me, he'll sit and listen. (Resident mother)

As will already be evident from some of the comments above, however, acting on this advice is not easy:

Looking back, it was really hard. I'm glad I didn't behave the way I felt like behaving which was to tell the kids, 'your dad's a little shit'. Although it did nearly kill me sometimes. (Resident mother)

There were times when I felt I wanted to stick the boot in basically. And I thought no, it's just not worth it, cos at the end of the day the children are going to suffer. (Non-resident father)

At the beginning we had a lot of arguments and stuff and it's so tempting to turn round and just be nasty and say ...but I would never do it because it's them, really, not us. I think it's important for them to see him. They'd both be upset if they didn't. (Resident mother)

Indeed a few parents acknowledged having fallen short at some point:

I try not to talk ill of their father in front of them. Because I want them to learn for themselves what he's like, instead of giving them stories. But sometimes I can't help myself, you just go, 'argh I want to kill him'. (Resident mother)

You don't always [put the child first] cos you're only human when everything's said and done, and you're grieving yourself for the split up of the relationship. As much as you're caring for them, your anger. I wish I could go back and I probably wouldn't have been as angry towards his dad and things like that, for [child] to pick up on that and to realise it. (Resident mother)

The key to being able to behave in the way our interviewees saw as 'ideal' was to focus and if necessary refocus on the child and the likely impact of the parents' actions. In some instances parents recalled being channelled away from destructive behaviour by the intervention of others. Conversely others found themselves defending their position against those who thought they were being too soft on their ex-partner.

Messages from children

We also asked children what advice they might have to give to parents and other children. As we reported earlier, the children who took part in the research tended to feel that their contact was fairly unproblematic. However, many of them were still able to offer practical advice to other families. Like the parents we interviewed, children often responded with reference to their own experiences.

Interestingly, the key theme in the parents' interviews – that the children should always be the priority – was not mentioned by the children at all, and as we saw in Chapter 12, children are often concerned about their parents' needs and feelings. Of course this does not necessarily mean that they think their needs should be secondary to their parents'. We would suggest rather that it shows that parents and children are thinking about the issue in different ways, with children's suggestions tending to be more practical than the more abstract or emotionally-based advice from the parents.

Children's messages to parents

Contact is important to children . It is children's only means of developing their relationships with non-resident parents and strengthening emotional bonds

> *Just being able to be with him like a normal person. Just having that sort of normalness. I think it's quite important because I want to have a close relationship with him. (Girl, aged 14-17)*

> *I can actually keep in touch with him so I don't feel as if he's forgotten about me. It's very important. (Boy, aged 11-13)*

Children want to have their non-resident parent to themselves for at least some of the time, not share them with new partners or other children.

> *The worst bit is that dad's girlfriend's there most of the time. (Boy, aged 8-10)*

Children want contact to be 'quality time' with their non-resident parent. They do not want their limited time spoiled by that parents' lack of effort or to be sidelined in favour of parents' own agenda:

> *Well sometimes he goes to work. I hardly get to see him. (Boy, aged 8-10)*

> *[My ideal contact would be] I would go to my dad's and he would put work aside for at least half of the day. Even if it's not all of the day because I understand that he does have to work. (Girl, aged 11-13)*

Children want to 'do stuff' on contact visits. Generally children did not regard their non-resident parents' houses as a home from home. In part because of this they did not want to spend contact time on their own (as they might in their bedrooms at home).

> *[I'm] not happy [with contact] because every Saturday we don't spend a lot of time with him. I always ask every Saturday 'Can we please go out on our bikes?' and he always says 'No'. (Girl, aged 8-10)*

Doing stuff' need not be expensive. Children suggested and often preferred contact activities such as going to the park, cooking together, swimming, cycling or going for a walk.

> *Child: Well I did use to [get bored] because he used to live in a flat and I did really find it really boring cos all we'd do was watch DVDs. He wouldn't take us out and it was a bit boring and stuff. He did have a computer but I wasn't that interested.*

> *Interviewer: Is it less boring now?*

> *Child: Yes cos he actually takes us out for walks. (Girl, aged 8-10)*

Be reliable. Reliability underpins successful contact. No matter how frequent or infrequent contact is children want to be able to trust that their non-resident parent will make it happen, barring genuinely unforeseen or unavoidable circumstances which children understand and accept.

> *No he doesn't really cancel things only when it's serious like when it was a funeral or when he has to do something that he has to do. (Girl, aged 8-10)*

Consult children about the arrangements and take into account their other activities, which are likely to become increasingly important as they get older.

> *Speak to them. Let them know what's going on. Just don't ignore them. (Boy, aged 14-17)*

> *Before you arrange something ask what the kids want to do because it's them that's really going to be affected by it. (Girl, aged 14-17)*

Try to develop a degree of communication and co-operation with the other parent.

> *They should be civilised with each other.… For at the end of the day kids need both parents. (Girl, aged 14-17)*

Don't argue, especially in front of the children.

> *Not argue and when you do argue, don't let your children be around you cos most of the time they get scared and I don't think children really like it. (Boy, aged 8-10)*

Children's advice to other children

> *If you have any problems speak to the parent you can trust the most and you really feel like you can talk to. Get advice from them and just persevere. Keep trying to make happen what you want and just try and sort everything out yourself and then if you can't, bring in the other parent to help. (Girl, aged 11-13)*

The advice from the twelve year old girl above includes suggestions which incorporated the key themes in the advice children had to pass on to others in their position. First, talk to at least one, or preferably both parents:

> *Children should talk to their parents, definitely. Especially the parent they live with because they could possibly help them organise their contact the way they want it. And talk to your other parent as well. Don't do what I did and not say anything. Keeping things inside that'll make you really upset. (Girl, aged 14-17)*

> *Just to talk about it with their parents. See what they think. (Girl, aged 11-13)*

Second, persist but be patient.

> *I'd tell children how to go through it and stuff. I'd tell them that it takes a while and that you come through. Just keep going [maintain contact]. Even if it's bad, just try and change how you feel cos it won't get any better. (Boy, aged 8-10)*

> *Just get on with it really. Just tell them that it'll get better because it has for me. I don't know what else advice to give. (Girl, aged 14-17)*

Third, make decisions on the basis of what's right for you, not what you think you will please someone else. The young people who were most emphatic about this had both changed residence:

> *Basically, don't take sides. Listen to what parents have to say. Just go with who you think would be best [to live with]. But don't go with your mum just to spite your dad. (Boy, aged 14-17)*

The young adult below was estranged from his mother with whom he had originally lived. Although his father encouraged him to have contact with her, he resolutely refused. That he was able to do what he truly felt was right for him was largely because he knew he could trust his dad.

With certain people dialogue is utterly useless and it's fight or run only. The point is really to escape as soon as physically possible. Go.(Boy, aged 14-17)

Summary

Findings from the in-depth interviews

We asked parents and children for their advice for other families going through separation. In general, parents had a lot they wanted to pass onto other families. They were emphatic about the need to focus on children and minimise the effects of separation as much as possible. Interestingly, children did not mention the 'putting the kids first' approach which was a near-universal feature of parents' interviews. Parents recommended keeping personal feelings of anger and hurt separate from the post-separation parenting issues. It was also common for parents to caution against bad-mouthing the other parent, exposing the child to parental conflict, using the child as a weapon, and grilling the child about the other parent. More positively, they recommended communication with the other parent, attempting to maintain a civil relationship with them, learning to bite one's tongue, and ensuring the child feels comfortable talking to both parents about the other parent.

They recognised, however, that following such precepts was not easy and some acknowledged their own failures in the past.

Children's advice to parents recommended that they should co-operate and communicate with each other, even if they don't get on well, and that they should not argue in front of the children. Advising other children, they suggested that children should talk to their parents if they are unhappy about something, that they should be patient, and that they should not feel pressured into making choices that were not right for them. Some children wanted to warn other children against taking sides in their parents' conflict. While some said it was important to talk, others recommended self-reliance and patience. Many children were reluctant to offer advice but from elsewhere in their interviews we can see the other areas that they thought were important, which included the importance of spending time with the non-resident parent away from new partners or new children, a high value placed on reliability, and the importance of quality time and doing things together rather than just sitting in the home.

Chapter 17: Summary and conclusions

This research has explored the patterns and experiences of contact in the general population of separated families in the U.K., focusing in particular on the incidence and nature of contact problems. We have conducted a large and representative national survey of separated parents (the quantitative work) and in-depth interviews to explore the issues further with parents and children who had not used the courts (the qualitative work).

As we noted in Chapter 1, the majority of separated families do not use the family courts to settle their post-separation parenting arrangements. This was known before we started our research, but prior to this work little was known about their experiences. Does the fact that these families do not go to court mean that all is well, or are there significant numbers of families who are dissatisfied with their contact arrangements, or who are finding conflict problematic?

Current government policy is that contact between children and their separated parents is good for children, and that it is to be promoted unless contact is not safe. (DCA, DEfS, DTI, 2004) Starting from this position, there is much about our findings that can be regarded as positive.

The 'good' news

Data from the national survey shows that:

- The majority of children (71 per cent)[11] from the separated families in our study were in touch with both their parents. Indeed a surprising proportion of children were in shared care arrangements (at least 9 per cent).
- If children lived primarily with one parent and had contact with the other most of them saw their non-resident parent quite frequently (69 per cent had contact at least once a fortnight)[12] and overnight stays were the norm.
- For many parents contact was relatively unproblematic. While most experienced problems with the potential to affect contact only a half said contact had actually been affected.
- Even where problems had affected contact at some point, most difficulties had either been overcome or become less salient over time.
- Problems did not typically derail contact. Around 70 per cent of parents whose child currently had contact had encountered problems at some point.
- Most parents whose child was having contact described their current relationship with the other parent as neutral or even friendly.
- The majority of parents did not report serious disagreements with the other parent about the child's upbringing.

Our in-depth interviews with parents whose child currently had contact, but who reported experiencing contact problems at some point, also showed that:

- Despite their difficulties there was an overwhelming consensus among both resident and non-resident parents that contact was important for children. Resident parents also described themselves facilitating contact and encouraging reluctant children.
- The children interviewed saw contact as very important to them. They were broadly satisfied with the arrangements and felt they had been sufficiently involved in making decisions about them.
- Most of the resident parents who had had serious concerns about the non-resident parent's care of the child had managed the problem to ensure the child's safety or well-being, usually with the assistance of their families, and there was little evidence that this had put the child at risk.

11 According to resident parents.

12 According to resident parents.

Nonetheless many of our findings are concerning. We shall expand on these below.

Areas of concern

Patterns of contact

Around 30 per cent of the children in the national survey were not seeing their non-resident parent at all.[13] Very few of these had had contact terminated by a court. In six per cent of the families where there was no contact, the resident mother said that the father was not aware of the child's existence, and most of the rest the child had never had any contact since parental separation. Given that concerns about the non-resident parent's care was not a reason given by many parents for the absence of any contact, it seems unlikely that all these non-resident parents were incapable of being, or becoming, adequate parents. Thus it would seem that (for a variety of reasons) a substantial proportion of children may be losing out on a potentially valuable relationship.

Where children were having contact 21 per cent were seeing their non-resident parent less than once a month, and in these cases overnight contact was quite rare (68 per cent of resident parents said there was no overnight contact). While there may be very good reasons for this (for instance geographical distance) it is unlikely to provide optimal conditions for sustaining a meaningful relationship which goes beyond occasional outings and treats.

About a third of children who were having contact never stayed overnight with their non-resident parent. This makes it more difficult for children to enjoy a 'normal' relationship with the parent they do not live with or for that parent to exercise the kind of 'authoritative' parenting which is generally held to be necessary if contact is to have a measurable impact on child well-being.

Decision-making and satisfaction with contact arrangements

The majority of parents in the national survey had not been to court to sort out contact arrangements (court orders were reported by just eight per cent of parents whose child had contact, and seven per cent where there was no contact).[14] However this does not mean that arrangements were necessarily mutually agreed or that parents were satisfied with them.

In a quarter of the cases in the national survey where contact was taking place (25 per cent) there were no clear arrangements.

While the lack of clear arrangements might reflect fluid, ad hoc arrangements which are responsive to the changing needs of all concerned, our in-depth interviews suggest they are more likely to be chaotic, messy situations which are unsatisfactory for at least one of those concerned.

About two-fifths of the parents in the national survey said they had sorted out the arrangements with the other parent.

However few of those interviewed in depth said that arrangements had been made with equal involvement of both parents. Non-resident parents typically felt the resident parent was the main driver while half the resident parents thought the non-resident parent was, either because of issues over unpredictability or the exercise of power and control.

The data from the national survey suggests a high level of dissatisfaction about contact levels among non-resident parents. While only a small number of non-resident parents without contact agreed to participate and therefore the findings have to be treated with great caution, the majority said they would have liked contact. Of those who did have contact, almost three-quarters wanted more.

Although resident parents in the national survey were more likely to be satisfied, a fifth of those whose child had no contact said they would prefer it if the child did see their other parent, while over a third of those where contact was happening said they would have liked it to be more frequent. Very few resident parents (eight per cent) whose child did have contact wanted that contact to decrease or stop.

13 According to resident parents.

14 According to resident parents.

The extent and effect of contact problems

The national survey indicated that the vast majority of separating parents encounter problems with the potential to affect or disrupt contact (74 per cent of resident and 70 per cent of non-resident parents). The fact that some of those parents managed to deal with those problems without them affecting contact is remarkable. Nonetheless our findings indicate that a substantial proportion of the separated population have struggled with this and some are still having difficulties some years on:

- Half of all parents whose child has ever had contact said that it had been affected by one or more problems.
- In over a quarter of cases problems meant that contact was suspended for some time or stopped altogether.
- Even where there was current contact 23 per cent of resident and 31 per cent of non-resident parents said contact was affected by a problem.
- Although families with contact problems are more likely than other families to use the legal system to sort out contact arrangements, most families with problems do not use solicitors or the courts.

Welfare and safety concerns

The national survey revealed a worrying proportion of resident parents who said they had had concerns about either the care of the child when with the non-resident parent, or their own safety:

- In 24 per cent of the cases where children were having contact, and 28 per cent of those where they were not, resident parents said they had concerns about the child's care at some point. Around half these concerns involved what would clearly be regarded as serious welfare issues: alcohol or drug abuse, mental illness, or child abuse.
- Frequent and substantial contact, including overnights, could be taking place despite serious and current welfare concerns, although many of the resident parents involved would have preferred there to be less contact or none at all. Contact in these cases was rarely supervised and most families had not used the family courts to determine their contact arrangements.
- The in-depth interviews produced several examples of serious issues, including drug and alcohol use and threats to the resident parent, but in all these cases parents had been able to put protective measures in place.
- In families where the child was having contact, ten percent of resident parents said they had had fears at some point about their own safety. Although only two per cent said this was currently affecting contact or causing it to be suspended, 19 per cent of all those resident parents who said they had stopped contact more than occasionally said this was partly due to fears for their own safety.

Parental relationships

There is now a great deal of evidence that parental conflict is likely to have negative effects on children (see Introduction, Chapter 1).

The children who took part in in-depth interviews emphasised how important it was for parents not to argue, particularly in front of them, and not to badmouth the other parent. This was also one of the key pieces of advice parents wanted to get over to other separated parents. Y*et all* but one of the parents interviewed in the in-depth study said that there had been conflict and/or bad feeling between them and the other parent at some point, with the majority describing high levels of conflict, usually involving angry exchanges and sometimes harassment or even violence.

In the national survey, where children were having contact, 30 per cent of resident and 27 per cent of non-resident parents said there had been bad feeling between them at some point. Even higher proportions reported disputes about child support (41 per cent of resident and 34 per cent of non-resident parents), while 17 per cent of each said they had had serious disagreements about how to bring up the child. Over half of each type of parent

said that at least one of these 'relationship issues' had been a problem in their family. While we cannot tell from the national survey whether children were aware of their parent's disagreements or feelings about each other the findings from the in-depth interviews suggest that it would be unduly optimistic to assume that all, or even most parents were able to protect them completely.

Research also indicates that children are most at risk where parental disputes are unresolved. Our in-depth interviews with parents indicated that even though most relationships had been highly conflicted at some point, over time most had become calmer. However many remained difficult or tense. In the national survey 17 per cent of resident and 19 per cent of non-resident parents said their current relationship with the other parent was hostile.

These figures, therefore have to be grounds for concern about the number of families in the general, non-litigating population in which children may be at risk of emotional harm because of their parent's disputes.

Parental conflict is also likely to have an impact on the child through its effect on contact patterns. Analysis of a range of factors in the national survey indicated that the quality of the parental relationship was potent, affecting both whether contact took place at all, and if it did, its frequency.

Co-parenting

As noted earlier, most parents in the national survey did not report serious disagreements about their child's upbringing. However that does not necessarily mean that they were parenting cooperatively with both parents involved in their children's lives and sharing decision-making, which is what we mean by the term 'co-parenting'. Our qualitative interviews, although of course based only on parents who had experienced problems and therefore not representative, found that the few who were managing to co-parent were generally happy with this. However most were not co-parenting to any significant degree. Most non-resident parents wanted to be more involved but felt they were not being allowed to be while some resident parents also wanted their ex-partner to play a greater part in the child's upbringing.

Overall, then, although many parents in the general separating population seem to be coping remarkably well with the challenges of post-separating parenting and are satisfied with their arrangements there are also many others who are not satisfied and/or who have experienced significant difficulties.

The contact 'triangle': issues for parents and children

We were not able to interview both the resident and non-resident parent in the same family, and although in the in-depth part of the study we conducted 20 interviews with children and their resident parent we did not also interview the other (non-resident) parent. However we do have a great deal of information about what each of these groups had to say about contact, from which we have distilled the key issues which children in general might want to convey to parents and resident and non-resident parents might want to communicate to the other group.

Parents who have attended post-separation parenting classes, which usually involve both resident and non-resident parents, although not ex-partners in the same group, often comment that it was helpful to hear from the 'other side'. Parents also report finding it useful to learn about the impact of separation and conflict on children (Hunt with Roberts, 2005). Making such material available more generally might help individual couples to be more tuned in to the needs of their children and develop some degree of empathy with the position of the other parent.

Key issues for non-resident parents

The major issue for non-resident parents was that they felt resident parents are in control while they are relatively powerless to influence what contact they have or how far they are involved in their children's lives. In the national survey 21 per cent of those who had no contact said the lack of contact was because of the resident parent's resistance and 30 per cent of those who did have contact said the resident parent had been reluctant about contact. Twenty-five per cent of those with contact said they had felt excluded or pushed out of the child's life.

In the in-depth interviews resident parents were also accused of being inflexible and not understanding the external constraints which sometimes made it difficult for non-resident parents to stick to arrangements. A few non-resident parents said the resident parent was over-protective or used them as a convenience.

Key issues for resident parents.

The major issue for resident parents was the non-resident parent's perceived lack of commitment. In the national survey half of the resident parents whose child had no contact said this was because of the non-resident parent's lack of commitment, or that it had been their choice not to see the child. Where there was contact 22 per cent said the non-resident parent lacked commitment. Unreliability was another common issue, reported by 29 per cent of resident parents where there was current contact, as was lack of flexibility (21 per cent).

In the in-depth interviews, resident parents were also critical of non-resident parents who prioritised their work, other interests or new partners/children above contact, or who left the children to be looked after by others on contact visits. A particular source of resentment was the other parent's assumption that if they could not manage to have the child for a scheduled visit the resident parent would abandon their own arrangements.

Key issues for children

Contact was important for almost all the children interviewed in our qualitative study. However they wanted to be consulted about the arrangements, which need to take account of other demands on their time and be reliable. They wanted to spend time with their non-resident parent alone, not always share it with other members of that parent's new family and for the parent to prioritise that time with them and make it interesting. Non-resident parents' new partners or new children were often seen as a serious barrier to 'quality time'. Children did not want to be drawn into adult disputes and wanted their parents to cooperate with each other, and to refrain from arguing in front of them and badmouthing each other.

One of the problems which children did not always articulate but emerged clearly from their accounts was that they do not always feel able to tell their parents what they are feeling. This was apparent when we compared children's accounts with those of their resident parent, when we particularly noted that resident parents did not seem to be fully aware of the extent of their children's negative feelings about their non-resident's parent's new partner or children. However we suspect similar discrepancies would have emerged if we had interviewed these children's non-resident parents. Indeed some children told us directly that they did not feel able to talk to their non-resident parent about how they felt.

Best practice in contact

As we saw in the previous section, the children interviewed in the in-depth study were clear about what they wanted in relation to contact. They also wanted their parents to cooperate with each other and not involve the children in their disputes. Our parent interviewees too had much good advice to pass on to other separating parents: always put the child first and ensure they feel comfortable talking about the other parent with you; keep your own feelings under control and separate from the parenting issues; don't expose the child to parental conflict; try to communicate with the other parent and establish a

civil relationship. All these messages, culled from parents' own experiences, would also be recognised by professionals working with separated families as eminently sensible 'best practice'. The difficulty, of course, is acting on these ideals. What is important about them, however, is that they are precepts which an individual parent can put into practice, and they are not dependent on changing the behaviour of the other person.

Awkward mothers and uncommitted fathers

One of the puzzles in this research has been that it is very hard to reconcile the different perspectives of resident and non-resident parents. At times it has felt that we have only managed to capture the views of two groups of parents: resident and non-resident parents who are committed to contact while those who are not have eluded us.

Certainly this was the case in our in-depth interviews, where there was an almost universal consensus that contact was of great value to children and parents saw themselves as having done their best to facilitate it.

But it also applies to our national survey in which few resident parents admitted to ever having refused contact and many of those who had done so more than occasionally said this was because of concerns over the child's care. Almost all the non-resident parents in the survey who did not have any contact would have liked to see their child, and those who did have contact wanted more.

Yet awkward or obstructive resident parents (usually mothers) feature quite prominently in the narratives of non-resident parents (usually fathers), and uncommitted non-resident parents often feature in resident parents' accounts. In the national survey, where there was no contact a fifth of non-resident parents attributed this to the resident parent's reluctance or lack of commitment. Half of resident parents whose child had no contact said it was because the non-resident parent had chosen not to see the child, or lacked commitment. In families where there was contact, many parents thought that the other parent's attitude was a problem (30 per cent of non-resident parents said that the other parent had been reluctant to allow contact while 22 per cent of resident parents said the other parent had lacked commitment). In our in-depth study the other parent's awkwardness or lack of commitment was a common theme with both resident and non-resident parents.

It is possible, of course, that it is all a matter of perception, misunderstandings or the natural human tendency to blame others when things go wrong. Obstructive mothers and drop-out dads may be more creatures of popular myth than reality. In certain of our in-depth interviews it was easy to envisage how something which the interviewee was putting forward as reasonable behaviour on their part or unreasonable behaviour on the other person's could be seen in quite another way and, had we been able to interview the other parent, very probably would have been.

However it seems unlikely that this is the full explanation and there may well be resident parents who withhold contact unreasonably and non-resident parents who have no interest in their children; even though we encountered remarkably few of them in this work. Nonetheless, this is an issue which public policy clearly has to take into account. If there are parents, whether resident or non-resident, who do not subscribe to the current thinking that children benefit from positive and safe relationships with both parents after parental separation then if government policy is to be effective work needs to be done with both groups to convince them otherwise and to enable them to manage their post-separation relationships so that such safe and positive contact can happen. Similarly, efforts are needed to remove barriers to non-resident parent involvement with their children.

What is undeniable, however, and the main message from this research, is that establishing and maintaining contact after parental separation is a difficult task and one with which many parents struggle, even those who are committed to it. Hence services are needed to assist families deal most effectively with the challenges of post-separation parenting.

Services for families

Parents who took part in in-depth interviews had some extremely useful comments on the services they had used and sources of support that might have been helpful for them.

Mediation

There was a surprising lack of awareness of mediation as a service that can help people who have already separated. When we asked parents what might help, many suggested a 'mediation-like' service without using the actual term or being aware that this already existed. Others thought it was only for couples trying to repair their relationship. Parents also seemed put off by what they imagined to be a service linked to the courts. Of course most of the parents interviewed had separated some time ago, and there may be greater awareness among those recently separated. However even those who have been separated for years had difficulties for which mediation might be appropriate.

So there is clearly a need to increase awareness of mediation and to 'rebrand it' as a community service which can help separating families at any stage of the process. It is important that this reaches beyond divorcing families. While families who go to solicitors for help should be informed about mediation, the finding that many resident parents who had not been previously married to their child's father did not use solicitors indicates that other routes need to be found for bringing mediation to parents' attention.

There is no point in doing this unless mediation is available and readily accessible across the country. Some parents were also put off by the cost. Making at least one session of mediation, and preferably more, free to all parents, regardless of their income, as is now the case in Australia, could make it more attractive. Of course it will not work for all families: the parents in our sample who had tried mediation were more likely to report that it had not helped them progress towards a satisfactory arrangement, usually because the other parent would not cooperate. However the research provides some indication that more families with difficulties could be reached.

Several parents suggested a neutral third party who could talk to children and explain their feelings and wishes to the parents. This is a role which could be incorporated into mediation services, as has been done successfully in Australia (McIntosh *et al.* 2008). Although Cafcass is currently developing such a 'child-inclusive approach' for families who come to the family courts, the potential is probably even greater for families who are attempting to resolve their difficulties without using the courts, which, as this research has demonstrated, represent the majority of separating families.

Advice

Many non-resident parents we interviewed felt quite strongly that they had not had easy access to quality advice around contact issues. Although this was also mentioned by some resident parents it seemed to be a more important issue for non-resident parents. The advice gap for these parents could be partly filled with a fathers' advice line, as one father suggested, or by face-to-face advice. As we found with mediation, however, many fathers did not seem to be aware of services which did already exist.

Family Relationship Centres

There is some discussion in Britain at present about the Australian network of Family Relationship Centres which has recently been established. Some, but not all, of our parents welcomed the idea of a high-street 'one stop shop' which could help with the range of issues involved during and after separation.

Services for children

Parents reported a fairly high prevalence of emotional and behavioural difficulties in their children. Several felt that their child could have benefited from counselling. Where children had extra support through the school parents were positive about the impact; pastoral care in schools needs to be alert to children whose parents have already separated as well as those who are in conflict or splitting up.

Other services

Finally, several non-resident parents felt that their efforts to be involved with the child's life were made more difficult by the attitude of their children's schools. Schools perhaps need to recognise that while many of their pupils have separated parents, this does not mean that fathers (or non-resident mothers) are disinterested in their child's school life. Involving non-resident parents by sending them separate invitations to to parents' evenings, school events, and sending school reports directly should not be a great burden on schools and could facilitate and even encourage their involvement in their children's lives.

Implications for public policy

Greater policy attention needs to be paid to the needs of the general population of separating families. It is clear that although few separating families use the family courts a large proportion will experience contact problems either during separation or further down the line.

The proportion of families who report problems with the potential to affect contact means that such problems have to be regarded as normal rather than exceptional. Parents need to know that post-separation parenting is challenging and that it is no reflection on them if they experience problems and appropriate to seek help if they feel they are struggling.

The substantial proportion of children who do not have contact is an issue which needs to be addressed. This may involve educating both resident and non-resident parents, and their extended families, about the potential value of contact to children. While nearly all the parents we interviewed felt that contact was important, the proportion of children without contact suggests that some parents in the wider population feel differently. Addressing the problem of families where there is no contact will also involve offering help to manage the relationship issues which impede the establishment and maintenance of contact.

Not everyone needs professional help to manage post-separation parenting. Many are coping on their own using their own resources. However this is not sufficient for everyone.

A range of services is likely to be needed to meet the very different needs of separating families: one-size will not fit all. Creative thinking is needed to develop tiered services providing information, advice, and more substantial intervention for either whole families or individual parents and children.

Services need to address the needs of all separating families, not just those who are divorcing. They also need to be available to those who have separated some time ago as well as those who are in the process of separating and to recognise the different needs of resident and non-resident parents.

While many services will necessarily be professionally run, consideration could be given to how parent-to parent advice and support might be incorporated into the spectrum of services.

More needs to be done to publicise existing relevant services. This particularly applies to mediation and to some extent to services for non-resident fathers.

Existing services which have proved their usefulness, such as mediation and contact centres need to be available across the country. The survey found that in some cases contact is taking place despite resident parents' serious concerns about welfare, and increasing funding for contact centres would help these families maintain contact in a safe environment.

Public policy needs to ensure that there is an effective, fair and transparent system of child support. This may help to remove one of the most common causes of parental conflict.

Finally we would like to re-iterate the central message of this research. Although the majority of separating families do not use the courts this does not mean that they are sorting out the arrangements for the child amicably, mutually, or without problems. While some do, and others work through to satisfactory arrangements, many encounter difficulties, and many children lose their relationship with one parent. While the minority

of families who do use the court system undoubtedly have many difficulties and therefore rightly are of concern to policy-makers, the needs of those who try to resolve their difficulties themselves, whose numbers are many times greater, require greater policy attention than they have so far received.

Appendix

Tables A1 and A2 show the characteristics of the parents and children who participated in each section of this research. As can be seen from table A1, the profile of parents interviewed in depth was fairly similar to the profile of parents who took part in the national, quantitative survey. As we explain in chapter 9, moreover, although we were not able to select parents for the in-depth interviews on the basis of the types of problems they had experienced, in the event the sample did cover the broad range of problems which had been identified in the national survey.

Table A1 Characteristics of adult research respondents

	National survey			In-depth interview sample	
	Shared care parent report (per cent)	Non-resident parent report (per cent)	Resident parent report (per cent)	Non-resident parent (number)	Resident parent (number)
Sex					
Male	28	87	9	141	
Female	72	13	91	0	26
Total (%)	100	100	100		
Marital status					
Single, never married	34	27	41	Not asked	
Married, living with spouse	14	28	16		
Married, sperated from spouse	25	14	14		
Divorced	26	30	29		
Total (per cent)	100	100	100		
					-
Partnership status					
Living with someone as a couple	32	45	16	8	14
Relationship with child's other parent					
Married	Not asked	44	41	10	14
Cohabiting outside marriage	Not asked	14	18	3	10
In a relationship but not cohabiting	Not asked	6	9	1	2
Brief relationship or no relationship	Not asked	36	32	0	1
Total (%)	100	100	100		
Child age					
0 – 4	Not asked	14	17	Not comparable because parents interviewed in-depth were asked about all relevant children	
5 – 9	Not asked	22	23		
10 – 13	Not asked	25	28		
14 – 16	Not asked	38	32		
Total (%)	100	100	100		
Age					
30 or under	14	15	22	1	6
31 – 40	39	40	38	4	9
41 or over	47	46	40	9	12
Total (%)	100	100	100		
Time since separation					
2 years or less	22	15		0	5
3 to 5 years	19	23		6	10
6 years or more	59	62		8	12

Figures weighted for household size. Weights calculated separately for each parent type.

Table continued on next page

Table A1 Characteristics of adult research respondents *continued*

	National survey			In-depth interview sample	
	Shared care parent report (per cent)	Non-resident parent report (per cent)	Resident parent report (per cent)	Non-resident parent (number)	Resident parent (number)
Educational qualifications	-	-		-	-
None, or low GCSE	22	38	25	Not asked	
Good GCSE	38	25	34		
A-level or equivalent	16	15	20		
Above A-level	24	21	21		
Total (%)	100	100	100		
Employment status				-	-
Working	75	77	64	Not asked	
Not working	25	23	36		
Total (%)	100	100	100		
	-	-		-	-
Tenure type					
Own outright / with mortgage	53	52	43	Not asked	
Social renter	36	27	42		
Private renter	11	21	15		
Total (per cent))	100	100	100	100	100
Ethnic background					
White British / White Other	85	89	91	13	27
Any other background	15	11	9	1	0
Total (%)	100	100	100		
Base:	76	171	390	14	27

Figures weighted for household size. Weights calculated separately for each parent type

Table A2 Characteristics of child participants

	Number of children
Child age	
8 to 10	7
11 to 13	4
14 or over	9
Child sex	
Male	11
Female	9
Time since parents separated	
2 years or less	0
3 to 5 years	8
6 years or more	12
Parents' relationship	
Married	11
Cohabiting outside marriage	7
In a relationship but not cohabiting	1

Table A3: Problems experienced by parents in the in-depth (qualitative) sample

	RP report	NRP report	Either parent
Welfare & safety concerns			
Concerns about OP's care or treatment of the child	20	8	28
OP expressed concern about my care or treatment of the child	2	2	4
Either of these	20	10	30
Fear other parent will not return the child	5	1	6
OP feared I would not return the child	0	2	2
Either of these	5	3	8
Fears about own safety	10	1	11
Allegations re safety against or admissions reported by NRP	0	3	3
Either of these	10	4	14
Commitment & flexibility			
OP unreliable about contact	16	5	21
OP says I have been unreliable	0	3	3
Either of these	16	7	23
RP reluctant about contact	7	13	20
NRP lack of commitment	15	1	16
Either of these	18	14	32
OP inflexible	4	3	7
OP says I'm inflexible	1	0	1
Either of these	5	3	8
Co-parenting issues			
Other parent not sufficiently involved	15	-	15
OP does not sufficiently involve me	-	7	7
I do not want the other parent to be fully involved	5	-	5
The other parent makes too many demands	-	1	1
We have different approaches to parenting	6	4	10
Undermining/interfering	4	0	4
Relationship issues			
Bad feeling between the parents/conflict			
	24	15	39
Badmouthing by OP	6	5	11
Badmouthing admitted by or alleged against self	6	1	7
Either of these	8	6	14
Difficulties with NRP's new partner	7	4	11
Difficulties with RP's new partner	5	7	12
Difficulties with either parent's new partner	12	8	20
Other problems			
Child's reluctance about contact	13	2	15
Money issues	14	6	20

OP = 'other parent'

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