

Problematic Fathering: An analysis of fathers' conflicted relationships and their transitions post-divorce/separation

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Abstract

Discussion of fathers' roles, responsibilities and legal status has been well documented, but in recent years society has witnessed an increasing concern about changing family forms, diverse parenting practices and whether families need fathers. The socio-legal arenas have served as important focal points for discussions concerning post-divorce/separation fatherhood, with law in particular, playing a central role in mediating disputes, helping to facilitate contact between children and the non-resident parent, and providing an authoritative discourse on the application of paternal rights and responsibilities. This thesis explores how fathers construct, and following divorce/separation, reconstruct their fathering roles where they have, at most, minimal contact with their children. All fathers in this study are members of a branch of Families Need Fathers (FNF) in South Wales, and all experienced conflicted relationships which resulted in them having to interact with legal and state welfare agencies. Drawing upon empirical data from three years of observation at FNF, and twenty five semi-structured interviews with non-resident fathers, it analyses the experiences of fathers and the impact the divorce process had on their physical and emotional well-being, but, more importantly, on their father-child relationship. The findings revealed that, with their help and support of FNF, fathers were able to redefine their fathering roles after encountering a number of transitions. Therefore, the research may, in a small way, contribute to a better understanding, both theoretically and empirically to the study of post-divorce/separation fatherhood, and to fathers' interpersonal as well as financial commitment to their children, whilst parenting from a distance.

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Chapter One

Fatherhood: Family Life and Family Support Pre- and Post-Divorce

Overview

The number of divorces in England and Wales in 2012 totalled 118,140 and of these families who experienced the divorce process, there were 99,822 children under the age of sixteen (ONS, 2014a) who, as a result of divorce, experienced parental separation. It is fathers, in most cases that become the non-resident parent (Separated Families Matter, 2009) post-divorce/separation, and who seek to maintain contact with their children. This often involves fathers having to redefine their fathering roles and learn to be both a non-resident parent and estranged partner (Baum, 2004). This study focuses on the active construction of fatherhood pre- and post-divorce/separation from fathers' own perspectives and was developed in order to gain a better understanding of how fathers perceive, manage and negotiate non-resident parenthood whilst experiencing conflicted relationships; their experiences of interacting with legal and state welfare agencies; why fathers felt it necessary to become members of a support group, and how their lived experiences of being non-resident parents integrates them into the broader category of contemporary fatherhood.

Much of the literature on post-divorce parenting focuses on the viewpoint of the resident parent (usually the mother), as well as children's welfare (Wall, 2010) and their experiences of parental separation (Smart, 2004). There is, however, a paucity of literature on non-resident fathers' perspectives of the divorce process, and in particular, their involvement in the support group Families Need Fathers (FNF), which not only provides an environment for fathers to discuss the problems they personally face with others in similar situations, but also to advocate for legal reforms that will benefit the entire family unit.

Empirically, this study focuses on a group of fathers attending Families Need Fathers in South Wales, all of whom are non-resident fathers who have minimal contact, and in some cases, no contact at all with their children. As a result of divorce/separation, they had to renegotiate their fathering identity, which in turn, impacted on their fathering role. Pre-divorce/separation, most

fathers' roles were usually a combination of both traditional and de-traditional roles, but post-divorce/separation their roles were reduced to mostly that of financial provider. Non-resident fathers also articulated their experiences of interacting with legal and welfare agencies such as the family courts, CAFCASS, mediation services, and the CSA (now known as the Child Maintenance Service), all of which is expected when two parents are unable to arrive at a mutual agreement over finances and more importantly, child contact. It must also be acknowledged that as my fieldwork was carried out between 2005 and 2008 respectively, the fathers' experiences described and discussed in this thesis, reflect on the context of the family proceedings as they were at that time. That said, significant changes have taken place in law, policy, legislation and literature on fathers' roles and post-separation parenting since writing this thesis therefore, current literature on the aforementioned issues seek to contextualise these changes using current research, in order to highlight their implications for this study.

This study pools the knowledge gained from twenty five semi-structured interviews and three years of observation to answer three main research questions:

1. How do fathers construct, and following divorce/separation reconstruct their fathering roles, where they have, at most, minimal contact with their children?
2. How do fathers' experiences of interacting with legal and state welfare agencies affect their sense of fatherhood?
3. How does the support group Families Need Fathers help members redefine their fathering roles?

These research questions each relate to the different stages of transition the non-resident fathers in this study experienced. Each father was in a relationship prior to his divorce/separation and was actively involved in his children's lives in respect of decision making, leisure time activities, helping with homework and day to day childcare. Following the breakdown of the relationship, each father was unable to reach a mutual agreement with his partner over child arrangements and conflict ensued, which resulted in court proceedings over child contact. This impacted on the fathers' roles, as once unlimited contact was now reduced to parenting on a part-time basis. Due to the conflict between the parents, various legal and state welfare agencies were involved in

decisions regarding the best interest of the child and these decisions did not always result in outcomes which the fathers thought were fair. Most fathers in this study encountered problems with their health, finances and their jobs and sought the help of FNF in order to maintain a relationship with their children, thus improving their overall well-being. By addressing the three research questions above, this study will add to the knowledge of post-divorce parenting by presenting a better understanding of non-resident fathers' lived experiences of coping with parenting on a part-time basis, the problems encountered when conflict is involved in a relationship and, the importance of group membership whilst striving towards maintaining a positive father-child relationship.

Each of the research questions addressed during this thesis will focus on the various stages of transition the fathers made pre- to post-divorce/separation. The first question is addressed in Chapter One, which will focus on research literature about divorce and separation, parenting roles and policies of fatherhood within the context of changing patterns of family life, changing gender roles and expectations at the time this research was carried out, as well as contemporary literature which highlights the implications of the far-reaching changes that have been implemented especially in private family law policy and proceedings. The second question is examined in Chapter Two, which will address the legislation on divorce and the purpose of the provisions in various key Acts. It will also focus on the justification of interaction between non-resident parents and various state welfare agencies when parents are unable to reach a mutual agreement concerning child contact due to parental conflict. Finally, the third question is explored in Chapter Three, which will explain why some fathers felt the need to attend the support group FNF, and how the group supported fathers through their divorce process in an effort to promote positive parenting.

For the purpose of this thesis, I will be focusing on non-resident fathers only, and will be referring to them as such, although I acknowledge that there are mothers who are also non-resident parents, who most likely experience similar contact issues to those of non-resident fathers (Kielty, 2005). Throughout this study I will frequently use the words 'members' and 'fathers' interchangeably. Indeed, the majority of individuals participating in FNF are men. However, it must also be recognised that women were also actively involved in this group, mainly serving as committee members. My generic use of the terms 'fathers' and 'non-resident

fathers' should not be understood as a way of marginalising women's voices or their nature of participation. Thus, this thesis is grounded in the assumption that in post-divorce/separation parenting, the needs of mothers, fathers and children must all be considered in any proposal for reform.

All across the UK, non-resident fathers claim that since the breakdown of their own families they have been deprived of full-time contact with their children and now parent on a part-time basis and in some cases, have no contact with their children at all. It has been suggested that 90% of divorcing couples are able to reach a mutual agreement over arrangements concerning their children, whereas, for the remaining 10% (Blackwell and Dawe, 2003), where conflict cannot be resolved amicably, courts can become the arenas for drawn out disputes over contact and residency. According to the Ministry of Justice (2013), between June and September 2012, a total of 14,429 applications were made to the court involving couples who were unable to resolve disputes. This in turn, resulted in 46,704 children being involved in private law orders made between the same periods. The most common types of orders made were: contact (58%), residency (21%) and prohibited steps (11%), all of which will be discussed further in Chapter Three. However, the number of private law cases started between January to March 2015 was 10,569; a significant drop from the figures indicated above in 2012 (Ministry of Justice, 2015). In this study alone, the number of children involved in disputed relationships between parents totalled fifty two.

Family change: a diverse picture of roles and responsibilities

The 1980s and 1990s were challenging times for men and women due to changes in employment, which saw a rise in male unemployment and an increase in female employment patterns, as well as changes in family forms, due to a rise in divorce (Featherstone, 2004). So, what impact did these changes have on fathers, in particular? Fathers and fatherhood in Britain have received mixed media attention over the past few decades. The more recent press seems to focus on what fathers do and don't do for and in their families. Hence, their roles and responsibilities are frequently a matter of public and political debate. According to Hearn, men and masculinities are an object of concern "as something that needs to be attended to, to be

changed, to be dealt with, to be treated as a problem, to be changed, defended or even just to be talked about and debated” (1998:37).

Social and economic changes, particularly in the mid- to late-twentieth century, relating to male unemployment, increasing female employment outside the home and improvements in women’s social status have impacted upon the centrality of men’s roles and responsibilities. As Collier (1995a) has noted, it is through the division of public/private and work/home, and particularly in the way that masculinity is defined by reference to a man’s economic capacity, that the physical absence of fathers from the home is justified in family law. It is changes in family policy and family diversity from the mid-twentieth century onwards which will now be discussed, together with the effect of these changes on men’s familial roles and responsibilities.

Marriage, divorce and cohabitation

Marriage was once seen as the ‘bedrock’ that attached men to children, with the marital relationship frequently expressed as the best possible situation within which children might be raised. According to Featherstone “the rise in cohabitation, divorce and lone motherhood are also lamented because they are seen to represent a decline in the adherence to a particular *ideal* of family life which involved marriage as a lifelong commitment” (2004:19). However, demographic changes, relationship breakdown and cohabitation have challenged the possibility of relying on marriage as a way of promoting legal fatherhood, as well as the rights and responsibilities with which it has been traditionally accompanied. In an historical context, it was assumed that the family was unproblematic; in other words, the father’s role was not scrutinised. However, this has changed in recent years, especially with the nature of fathers’ relationships with children being increasingly seen as a key issue in public debates and policy intervention. According to Collier and Sheldon (2008), this constitutes a significant shift away from the father constructed as a remote disciplinarian and breadwinner, towards an expectation of men as ‘engaged’ or nurturing fathers.

As women became more aware of feminist issues and the traditional role of mothers began to change, many fathers were forced to reassess their positions within the family. Changes in

economic activity together with changes in family forms and family life had a significant impact on the gender landscape. As Featherstone (2004:8) remarks, “Changes in the labour market for both men and women have emerged, complicating simple assumptions of male advantage and female disadvantage as well as increasing inequalities between women and between men”.

As women began to free themselves from the stereotypical and dependent roles within the family, so men increasingly found themselves judicially ‘liberated’ from the family due to the sharp rise in divorce rates. The number of divorces taking place each year in Great Britain more than doubled between 1958 and 1969. By 1972, the number of divorces in the United Kingdom had doubled again. It is assumed that the latter increase was partly a result of the ‘Divorce Reform Act 1969’ in England and Wales, which came into effect in 1971. The Act introduced a single ground for divorce – irretrievable breakdown – and it was this latest ground that made divorce more accessible. The number of divorces continued to increase, and by 1993 divorces had peaked at 180,000 (Social Trends 36, 2006). Since some fathers were excised from their roles as ‘heads of households’ and as family breadwinners, there was a growing pressure on them to redefine their parenting role. According to Morgan (1986), during the 1970s the New Right was critical of feminist and liberal social scientists writings and research, as he believed it was partly an attempt to expel fathers from the family by demonstrating the limited role which most men played within the domestic economy and partly because it was seen as a wider attempt to shift financial responsibility for children from individual men to the state. As a result, a resurgence of research emanated which posited the centrality of the role of fathers to children (Smart and Sevenhuysen, 1989).

The increased prevalence of divorce often affected a father’s involvement with his children and often isolated the father from the home on a permanent basis. Statistics from the Social Policy Research Unit at York University (1997) suggested that most children live with their mother following divorce or separation, but nearly half of children from separated families see their non-resident father at least once a week; however, another third of children see their non-resident father, at most, once or twice a year. According to the Department of Social Security (1990), the percentage of ‘parents with care’ after divorce/separation who are women were 93%. The latter figure suggests that there were quite a disproportionate number of fathers who see their children on a part-time basis, and have had to comply with court orders in respect of child contact. With

regard to the compliance of Court Orders in 1987, 83% of custody orders were sole orders and 74% of those orders were in favour of mothers, whereas 8.3% favoured fathers (Lord Chancellors Department, 1988). Today, the gendered breakdown of child arrangements order figures are no longer collated by the family courts. All child arrangements orders are made to 'the parent' without the courts specifying who that parent may be; whether the mother or the father.

The increase in divorce rates also saw an increase in one parent families, usually headed by mothers (Hill, 2003). Many mothers were reliant on the state for financial support as they were not required to enter into the workforce until their children reached sixteen years of age. According to Hill, "politicians began to attribute the growth in single parenthood to the availability of benefits and housing" (2003:121), and, as a result, the UK government decided to tackle the issue of financial contributions through the enactment of the Child Support Act 1991. The Act targeted absent parents for child maintenance payments, but not all absent parents, however, evaded their financial responsibility. We know relatively little about non-resident fathers' experiences of fathering after divorce/separation (Smyth, 2004), even though Caruana (2004) suggests they are targets of most child support policy reforms. Researchers have noted that what we know often comes from mothers' reports (Smyth, 2004) but these cannot offer full accounts of fathers' perspectives.

However, a more recent study carried out by Poole *et al.* (2013) entitled '*What Do We Know About Non-Resident Fathers?*' used data from the UK-wide survey Understanding Society (2009-11) which found that a total of 20,340,700 men aged 16-64 are estimated to have been living in the UK in mid-2012 (Office for National Statistics, 2013b) and of these men, it was estimated that 980,000 were non-resident parents with children under the age of 16 years. The study revealed that a minority of fathers (13% - equating to 129,000) have no contact with their children post-separation divorce, whereas over half of the fathers reported to have some sort of contact with their child(ren). The contact ranged from 38% of fathers who had contact several times a week; 21% who were in touch once a week, to 28% who were in touch less than weekly but at least a few times a year. The findings of this study seem to suggest that the majority of non-resident fathers maintain contact with their children and report a close relationship with

them. In contrast, 11% of the 13% of fathers who have no contact stated they had no close relationship with their child(ren).

Some father's post-divorce/separation resigned themselves to continuing their primary role as financial providers for their children. But, the nexus between fatherhood, money and power that has been observed in two-parent households is broken (Wall and Arnold, 2007). Money may not be paid or withheld as a tool to achieve the desired outcome of contact with children in a tit-for-tat scenario (Ermisch, 2008). Rather, when fathers have contact with their children, their payments may be more visible in terms of buying them clothing, food, spending money on leisure activities; therefore, fathers may feel that their contributions are easily appreciated by their children. In respect of the role as financial provider post-divorce/separation, an accurate figure cannot be given for the exact number of fathers who continue to provide financially for their children. There are a number of reasons for this, including lack of academic research in this area, private financial arrangements between divorced/separated couples and omission on the part of the Child Support Agency (CSA) to determine the gender of the non-resident person (instead, using the term 'parent'). When I contacted the CSA at the beginning of my fieldwork in the hope of acquiring a gendered percentage of non-resident parents who were paying maintenance, I was told that it does not disclose that information. However, when reading their literature, most of their case studies indicated the non-resident parent either paying maintenance or being 'chased' for maintenance was the father. According to Collier and Sheldon (2008), family law from the late nineteenth century to the present day has seen a significant shift of fatherhood from fathers who once had exclusive rights over their children to fathers today being primarily familial 'breadwinners'.

The legal system which gave fathers absolute rights over their children prior to the turn of the nineteenth century later, during the latter part of the nineteenth century and early twentieth century, dismissed the discourse where children were viewed as a father's property, due to reform of the legal system and viewed children as "a form of social investment in which custody produced concomitant social duties on the part of each parent, the performance of which the state could supervise" (Fineman, 1991:82). This view became the legal standard of the "best interest of the child" and is used today as the governing substantive in all custody rulings. As mentioned previously, 93% of mothers are usually given 'care' of children post-divorce/separation and

therefore it is fathers who have become objects of concern. Some fathers become disillusioned with the legal system, as it appeared that it had little sympathy with or understanding of, the plight of non-residential fathers (Walker *et al.*, 1997). Thus, some fathers like women before them, formed support groups such as Families Need Fathers and Fathers 4 Justice in order to deal with the conflict and hurt they were experiencing. Subsequently, other divorced fathers chose to sever all contact with their children rather than deal with the reality of being separated from them.

Fathers familial and nurturing capabilities

The last four decades have seen a number of empirical studies focusing on men's behaviour and their participation in the household. Sullivan (2000) acknowledged that signs of change were being detected especially in the familial realm where men were beginning to participate in household chores and in the care of their children. The findings from Sullivan's time diaries indicated "a clear reduction in gender inequality in the performance of some of the normatively feminine-associated tasks" (2000:453). Whilst recognising that the vast majority of childcare is still carried out by mothers, there has been a definite change in the expectation and actual exercise of fathers' involvement with their children. The questions 'What does it mean to be a father?' and 'Do families need fathers?' is taking on a new relevance within a post-traditional world where there is an increased openness and awareness of diversity and plurality.

Dienhart's (1998) research on fatherhood adopted a post-modernist analysis of fathering using the concept of 'tag-teaming' to promote positive modern parenting. Her findings revealed that fathers were just as capable as mothers at performing parental jobs. This research not only views men on an individual level, exposing their strengths and weaknesses, but also considers the 'hidden' practices that men were beginning to perform. However, Williams's (2002) study used implications of theories of reflexive modernisation to argue that late modern society has repercussions for all forms of identities, masculinity, femininity, motherhood and fatherhood included. According to Gerson (1997), numerous studies have demonstrated that many, perhaps most, fathers possess both the desire and capacity to nurture children (Coltrane, 1989; Lamb, 1979; Levine, 1976; Park, 1981; Pruett, 1988; Risman, 1986; Snarey, 1993). According to this perspective, for these men, the problem is not what they lack personally but what society fails to

offer them – viable avenues for developing, expressing and enacting nurturing aspirations, especially in areas such as the workplace, flexible working patterns and the availability of parental leave.

According to the Equality and Human Rights Commission (2009), a substantial number of fathers in Britain wanted to take a more active role in caring for their children, with four in ten saying they spent too little time with them. But barriers to more active involvement included the following: (a) 45% of men fail to take paternity leave because they cannot afford to, and (b) 2 in 5 said that asking for flexible working hours would result in their commitment to their job being questioned and as such would impact on chances of promotion. However, 56% of fathers who took paternity leave said that taking time off led to them taking a greater role in caring for their child, whilst 69% said it led to improvements in family life.

There is a concern that the kind of support that is offered to fathers reinforced gendered inequalities in childcare. For example,

Offering leisure activities to fathers whilst offering parenting skills training to mothers, or supporting fathers to pronounce what children need, but abdicating responsibility for the work required to meet those needs. It is possible to see the current political project in relation to fathers, as promoting a form of fathering that is premised on fathers developing emotional connections with their children, rather than actually sharing in their care (Featherstone, 2009:5).

There have been important moves to support both mothers and fathers to work and care, but policies in the main, support fathers as providers of cash rather than care. According to Collier and Sheldon, (2008), this has occurred despite the increasing consensus among policymakers that fathers have critical contributions to make to children's development, beyond the provision of cash. On the contrary, as of the 5th April, 2015, fathers can now take shared parental leave with the mother after the birth of their child and be in receipt of statutory shared parental pay subject to specific conditions (Gov.uk, 2015a). This can be seen as an attempt by the government to provide parents with the opportunity to consider the best arrangements of care for their child during its first year. It also enables parents to decide amongst themselves if they want to share the care of their child evenly, or have one parent being the main carer.

There has been a shift on the financial front, so one might expect that this would mean a shift on the emotional front in favour of fathers. In practice, from an emotional point of view, there is still a tendency for mothers to be seen as the caring and loving parent; fathers on the other hand are seen as providers, hence, a major lack of clarity concerning the father's potential role in child-rearing. According to Conrad (2003), 'mother-nature' plays a prominent role in maternal bonding, which is a very strong and special bond, but this does not mean that a father loves his child any less than a mother does, or that he is incapable of loving his child as much. As Dermott argues "contemporary fatherhood is centred on a personal connection at the expense of participation in the work of childcare; because caring activities flow from an emotional connection rather than in themselves constituting the fathering role, the practicalities of 'intimate fatherhood' are fluid and open to negotiation" (2008:143). Dermott uses the notion of 'intimate fathering' to emphasise the aspects of male parenting which fathers view as most significant today, those being, emotions, portraying affection and, more significantly, the mutual father-child relationship. Hence, it is important to discuss how fathers today have been encouraged to become more fully involved in their children's lives through an array of service providers, whilst acknowledging that barriers to fathers' involvement with services are often located exclusively in the failings of the service and female service providers (Featherstone, 2009), as such, this service deficit model can reinforce a sense of fathers as victims.

Supporting Families Pre- and Post-divorce/separation: What is the State doing to help?

Many academics and researchers alike agree that a father plays a crucial role in his children's lives and them in his. This view is increasingly recognised by policymakers who acknowledge this and, as a result, in 1998 the Labour administration issued *Supporting Families*, a consultation paper which stated that fathers have a crucial role to play in their children's upbringing. The paper recognises that although mothers and fathers have different styles of parenting and different attributes they should, whenever possible, try to complement one another. Basically, the paper appreciates that fathers make a very positive contribution to their families both emotionally and financially, and emphasise that parenthood should be a partnership. The above is all very well if parents are married or in a stable relationship, but to what extent does this impact on a father's role with his child after a relationship breakdown?

Promoting father engagement for children and families

Since the late 1970s, there have been growing concerns about the outcomes for children in adult relationships, particularly instabilities in relationships, which can produce anxieties about the stability of children within this particular context. A wide range of psychological and social indicators such as low self-esteem, educational attainment, involvement in criminality and the ability to sustain stable relationships (Featherstone, 2004), have been the interest of many academics and policymakers in recent decades. Hence, since the Children Act 1989 came into force, family support has become firmly established as part of policy and practice created under New Labour. According to Featherstone (2004), the Act reconstructed parents in gender-neutral terms as holding lifelong responsibilities towards children.

Broad trends suggest men's increasing participation in their children's lives (Gershuny, 2001; O'Brien and Shemilt, 2003). In a study carried out by Brannen and Nilsen (2006) which looked at transmission and change (roles and attitudes), among British fathers in four generational families, it was found that fathers in the youngest generation in the four families growing up in the 1990s, were likely to have a more 'hands-on' approach to fathering especially if they were in low-paid employment. One of the principle reasons cited for this was that a decline in traditional labour market opportunities once available to men enabled change in family and fathering practices. Culturally, a change in the breadwinner role is also a factor as "breadwinning is no longer seen to legitimize a form of fathering whereby men are exempt from active involvement with children" (Brannen and Nilsen, 2006:348).

According to research findings by the Equal Opportunities Commission (EOC) (2007), British fathers undertake approximately nearly half of all childcare. Mothers recorded an average of 2 hours and 32 minutes per day looking after their own children, compared with 2 hours and 16 minutes by fathers. With more fathers becoming actively involved in childcare, New Labour, when it came into power in 1997, adopted the 'family values' rhetoric with a major reassessment of policies especially in the arena of the family. New Labour in 1997 recognised a need to try to strengthen families and marriage and published *Supporting Families* (Home Office, 1998) which set out their concerns. Although the document expressed a preference for marriage as the best form in which to bring up children, Skinner (2003) argues that this has not

been followed through consistently. In an effort to support parents, the Government published *Every Parent Matters* (HM Treasury, 2007) which set out its concerns to highlight the vital role of parents in improving their child's life chances and educational attainment and how the Government can best help them achieve this. However, the main discourse in the document focuses on married parents, with very little information on how non-resident parents can be supported when they have, at most, minimal child contact.

An Advisory Group on Marriage and Relationship Support was established by the Lord Chancellor to promote a strategy to strengthen marriage and relationship support and to assess the impact of relationship breakdown. The Married Couples Tax Allowance was abolished and no policies on marriage were outlined in the 2001 Labour Party Manifesto (Featherstone, 2004). Parental responsibility was extended to unmarried fathers providing their names appeared on the child's birth certificate. A National Childcare Strategy was developed from 1998 onwards (Skinner, 2003) whereby the government "has accepted that childcare is a public as well as private responsibility" (Lister, 2002a:10). There was an increase in maternity leave and the introduction, for the first time, of two weeks paternity leave. Also, an organisation named Fathers Direct was established in 1999 with the help of government funding, to promote support for the father-child relationship and offer advice, training, information and consultancy services to the family sector as well as being a key advisor to the government on policy issues.

Thus, over the last twenty five years, the government has attempted to initiate a number of strategies to help promote, support and strengthen family relationships. Parents play a crucial role in raising their children as positive parenting is seen as detrimental to a child's social, emotional and intellectual development and benefits not only the individual but society as a whole (Teather and Milton, 2011). The British government are well aware of the challenges and transitions that many families may experience through their life-stages and of the help they may need to cope with these challenges in order to minimise the chance of family breakdown (Walker, 2009). Early interventions include engaging fathers' through pregnancy and the post-natal periods so that both "mothers and fathers are offered high-quality community-based preparation for parenthood that includes learning about the needs of babies during pregnancy and early life and how to make the successful transition to parenthood" (Fatherhood Institute, 2011).

However, according to Lammy (2013), the past few years have seen a rise in the number of young mothers who need help and support, but very little provision of support is available for young fathers. Lammy states that “too often we treat young fathers as problems to be solved and not people to be supported or helped” (2013:1). Lammy also suggests that public services assume that children will have two parents, one who is the care-giver and the other the financial provider, but this is certainly not the case in today’s society, and as a result young parents often suffer under the weight of these assumptions. Engaging with young fathers’ will not only benefit their partners but will benefit their children; with the early establishment of a father’s role in his child’s life, he is more likely to remain supportive of his child’s care as the child grows up which will benefit the family as a whole.

Other such interventions include The Parenting Early Intervention Programme (PEIP) which provides funding for local authorities (LAs) to deliver evidence-based parenting programmes which have been shown to improve parenting skills to parents of children and young people aged 8 to 13 years, who are concerned about their child’s behaviour (Lindsay *et al.*, 2010). There are a plethora of intervention programmes such as Sure Start, Barnardo’s Cymru, Families First and Flying Start as well as parenting training classes and practical activity classes (including play); also parenting plans to name but a few, that actively encourage father participation in an endeavour to improve father-child attachment, improve behavioural management, improve the well-being of fathers, take pressure off mothers and to reduce domestic violence (Scourfield, 2013). However, what about services where a considerable number of children do not have a father present or involved in their lives? No mention of support has been given to parents, in particular fathers, post-divorce/separation, which could explain why some non-resident fathers turn to support groups such as Families Need Fathers (FNF); Dads After Divorce (DAD) and Fathers 4 Justice (F4J) to receive the help and support they need, as these groups seek to protect the rights of fathers in the post-separation or divorce context.

Consequences of Divorce for Non-resident Fathers

There are, at present, increasingly, new forms of living arrangements that include single-parent families, reconstituted families, cohabiting, single-sex and gay households. As a result, the

roles of both mothers and fathers became fraught with complexities, and fatherhood in particular was radically altered due to divorce. Debates about fathers' rights and responsibilities in the area of post-divorce/separation parenting takes place in a context marked by a paradox. Much discussion of post-divorce/separation fatherhood has focused attention on issues such as child poverty, crime and the 'absent' father which emphasised men's lack of familial and economic responsibility to concerns about marriage breakdown and social order (Collier and Sheldon, 2008). There is also evidence to suggest that men are seeking a closer, 'involved' and nurturing relationship with their children not only in two-parent relationships, but also in post-divorce/separation parenting (Barker and Einstein, 2007).

This section of the chapter will investigate why father absence has been assumed as problematic and why post-divorce/separation parenting relationships between non-resident fathers and their children can be extremely difficult to establish and maintain. Factors which impact on the father-child relationship include a combination of interpersonal, psychological and material/economic factors (Wilson, 2006). These include the fluidity of contact, coping with 'obstructive parenting', and negotiating the complex transitions of step-parenting. Addressing these issues around post-divorce/separation parenting will provide an insight into the difficulties that could arise for non-resident fathers (Maclean, 2007), and how developments in family policy have repositioned the father figure as a subject of legal intervention. In England and Wales when fieldwork began, it was estimated that there were 2 million lone parent families with dependent children and of these, nine out of ten were headed by lone mothers (Office for National Statistics, 2011). However, recent statistics report that in England and Wales, women accounted for 91% of lone parents with dependent children (Office for National Statistics, 2014a). Discourses on absent fathers have tended to highlight moral values about the behaviour of mothers and fathers. This was particularly evident in the UK in the early 1990s within pro-family accounts of social change and debates around child support.

The growth of an underclass

In the 1990s there was a growing debate about the decline of the nuclear family and the growth of new family arrangements which centred on the growth of an underclass and a dependency culture, as men were perceived to be failing to take up the fatherly financial responsibilities for

their offspring (Green, 1998; Haskey, 1999; Kiernan, 1999; Morgan, 1996; Murray, 1996; Dennis and Erdos, 1993 and Field, 1996a,b). Dennis and Erdos (1993) argued that too many individuals were flouting their family and societal responsibilities, leading to 'absentee' fathering as well as single, 'never' married mothers. To Dennis and Erdos, it was imperative that the Government create punitive action to persuade the lower classes to establish traditional families and recreate traditional fatherhood.

Murray (1996) also presents single parents and the absent father as major problems for society. His work addressed the 'underclass' i.e. the problem of absent fathers. Murray (1996) argues that an underclass occurs when men abandon the mothers of their illegitimate children, leaving women to care for children on their own and on state benefits. He also suggests that this leaves boys in particular, without a responsible male role model. The behaviour of the irresponsible male is then passed onto a new generation, thus continuing the cycles of deprivation and dependency.

The return to the traditional family is also a concern for Dench (1996). In a study he carried out to try to examine why men disengage themselves from the family, he found that, unlike Morgan's (1996) study, it was women who were at fault in the breakdown of family relationships. According to Dench (1996b), feminism was responsible for the independence and autonomy of females, hence rejecting the role of the breadwinner, and as a result, men became relieved from the family unit. Dench stated that:

perhaps the fundamental weakness of feminist analysis, from which many mistakes flow, is their failure to see that men need the status of the main provider role to give them a sufficient reason to become fully involved, and stay involved, in the long-term draggy business of family life (1996b:16).

For Dench, the feminist rejection of the male economic role broke the one ideology that tied the male to the family. This implies that with the absenteeism of the male from the household, the woman has increased freedom. However, this is not the case. The work of Dennis and Erdos (1993), Murray, (1996) and Dench, (1996) emphasise a negative approach to fatherhood and attribute the male deficit model to the cause of a range of social problems for children, from low educational achievement to childhood delinquency, gun crime and promiscuity (Dermott,

2008). However, the areas of disadvantage identified by research policy only apply to a minority of those whose parents have separated during childhood. According to Rodgers and Pryor (1998):

There is no simple or direct relationship between parental separation and children's adjustment, and poor outcomes are far from inevitable. As a rule of thumb many adverse outcomes are roughly twice as prevalent among children of divorced families compared with children from intact families. However...it cannot be assumed that parental separation is their underlying cause. The complexity of factors that impinge on families before, during and after separation indicates a process, rather than a single event...Much of the confusion seen in media coverage, and even in academic debate about the 'effects of divorce on children' reflects a failure to distinguish between separation as a process and separation as an event (cited in Hale *et al.*, 2009:458).

Lamb (2010) claimed that fathers cannot be assumed to be psychologically and emotionally absent just because the parents are divorced or separated and the father no longer lives with his ex-partner. It does not mean that every child growing up without a father has problems in the aspect of development. According to Hetherington and Kelly (2002), studies in the early 1980s focused on how divorce might influence children's development, rather than focusing on how the absence of fathers influences children. Nevertheless, Lamb states that "since divorce is often preceded and accompanied by periods of overt and covert spousal hostility, parental conflict may play a major role in explaining the problems of 'fatherless' children (2010:6). It is evident that the 1990s saw a heightened 'crisis' around fatherhood centring on ideas around the crises in heterosexual families, social risk and the nature of paternal masculinities (Collier and Sheldon, 2008). It is against the backdrop of each of these debates, so-called fathers' rights groups campaigned for legal reform in the area of divorce and separation.

Non-resident fathers and the fluidity of contact

As stated previously, after the breakdown of a marriage or a partnership, children usually live with their mother and fathers have contact. According to Beck and Beck-Gernsheim (1995), becoming a father is not difficult, but being a divorced father certainly is. They state that after divorce when parenthood is split, motherhood turns against fatherhood. The father becomes the victim of inverted inequality with which he has hitherto lived quite cheerfully. The father is then faced with making a life for himself in a new home, a financial obligation to support his children as well as himself and minimal time with his children.

However, the fact that a father no longer resides with his children does not make him any less significant in their lives, nor does it mean that he no longer wishes to be involved with them. Fathers' will often go to great lengths to have contact with their children and retain a strong positive presence in their lives, but unfortunately, there are some fathers (13%) who lose all contact with their children after divorce/separation (Speight *et al.*, 2013). It is certainly easier for a father to build a strong relationship with his children if he and his ex-wife/partner remain on amicable terms. Unfortunately this is not always the case. Very few fathers are denied contact by the family courts; only when it is appropriate to do so. Their contact can vary from individual hours to weekends, to school holidays. When contact between non-resident fathers and children is disputed between estranged partners, it is the judge's decision in the family court on how much contact the father is granted. Judges are expected to frame their decisions according to the best interest of the child and the welfare principle (Children Act, 1989, section 1(1)). Even though these decisions are not always seen as favourable by some non-resident fathers, when disputing parents have to resort to the court over contact they are likely to encounter a strong pro-contact stance (Bailey-Harris *et al.*, 1999b, Hunt and Macleod, 2008).

Whilst the majority of fathers want to play an active and supporting role in their children's lives, there are a minority of fathers, who, for whatever reasons, do not wish to be involved with their children. There are instances where fathers leave their wives or partners for someone else or just disappear at the end of a relationship and cease to have contact with their children. In a study carried out by Bradshaw and Miller (1991) on lone parents, it was found that 35% of non-resident parents (most of who were fathers) did not maintain contact with their children following divorce. Wicks (1991) also estimated that some 750,000 children in England and Wales had lost contact with their fathers. In research carried out by Walker *et al.* (1997), it was found that some fathers in their study had no contact with their children at all. The fathers in question had made a considerable effort to maintain positive relationships with their children, but emotional, physical and financial costs of continuing to pursue contact in a hostile climate had to be weighed against the benefits of abandoning the struggle. However, according to Blackwell and Dawe, (2003) in a survey of *Non-Resident Parents' Contact* carried out on behalf of the Office for National Statistics, it was found that a significant proportion of children do stay in contact with their fathers (although resident and non-resident parents differed in their

accounts). This statement is endorsed by Poole et al. (2013) who state that 87% of the fathers in their study have contact with their children.

The mother of the children could also have an influence on the father's contact. According to the UK Government's 'Children First' Consultation Paper (1998), 40% of divorced/separated mothers "admit to thwarting" child-father contact and occurrences of this type have been highlighted in several UK studies (Pearce *et al.*, 1999; Smart and Neale, 1997; Smart *et al.*, 2005). In a study carried out by Trinder *et al.* (2013:6) the authors conducted a case file analysis of a national sample of 215 enforcement applications accessed via the Cafcass electronic case files system. They found that only 9 of the cases (4%) related to "sustained and apparently unreasonable resistance to contact by the resident parent, possibly with alienating behaviours". Although this is a relatively minor percentage of cases relating to 'thwarted contact', 'obstructive' parenting is a topic that will benefit from further research. Contact is seen by fathers as the biggest obstacle to overcome and one which has serious consequences for a father's relationship with his children. This statement was endorsed by Kaganas (1999) who states that conflict and the refusal of contact are viewed as the main dangers to the children of separating parents, as contact between a father and child is not only seen as positively benefiting the child, but a denial of contact is regarded as detrimental to the child's welfare.

The 'obstructive' parent

Contact with both parents post-divorce/separation has always been assumed to be in the child's best interest, and that if contact with one parent is denied it would be harmful for the child, unless the child was exposed to violence on the part of the non-resident parent (Maidment, 1998). By shifting the focus of the law to the interest of the child rather than the interest of the parents, the courts place the welfare of the child at the centre of judicial debates.

There is a literature on how a language of child welfare can construct women as 'obstructive' or 'bad mothers' if they do not facilitate contact post-divorce/separation (Wallbank, 2001). Such women may be constructed as not acting in the child's best interest if they do not facilitate father involvement with their children. Resident mothers are encouraged by the

courts to facilitate contact between the child and the non-resident father. Mothers are branded as ‘irresponsible’ if they oppose contact and are accused of exposing their children to emotional harm. Within the law, “mothers are constructed as powerful gatekeepers who hold the key to their children’s destinies, and, ultimately, to social order” (Day-Sclater and Piper, 1999:114). In other words, it was mothers who determine father-child contact and fathers who were viewed as powerless and the victims of their former partners. Disputes over residency and contact appeared to have intensified as a result (Bailey-Harris *et al.*, 1998). In the 1990s, the development of the ‘obstructive’ parent who alienates the child’s affection for the non-resident parent became prominent in policy (Day-Sclater and Piper, 1999).

Gardner (2003) implies that many various manoeuvres are practised by resident parents in their efforts to banish the presence of the non-resident parent. Psychologists have found that mothers may appear to accede to contact while covertly influencing the child against it. “This ‘strategy of alienation’ causes ‘damage’ to a child that is ‘both insidious and long-term’ and may even be ‘tantamount to emotional abuse by the mother’” (Willbourne and Cull, 1997:808). Signs of ‘obstructive parenting’ recorded by Lowerstein (2008) and Lorandos (2005) which have been observed in children who had been alienated against the non-resident parent, totalled twenty eight. Some of the most prominent include:

- Destroying mail or presents from the non-resident parent, so that the child believes the parent no longer cares for them.
- The child is made to feel guilty for showing signs of caring towards the non-resident parent.
- The non-resident parent is blamed for everything that has gone wrong in the child’s life.
- The child is not only alienated against the non-resident parent, but also the parent’s family, usually due to false information.
- A move away from an area making it difficult for the non-resident parent to maintain contact.

- The child becomes insulting towards the non-resident parent, and instead of calling them mother or father, will call them ‘liar’ and other abusive names.

Hale *et al.* (2009) claim that sexual abuse allegations may also be made by the resident parent, which are usually disproven, but is regarded as a powerful weapon used by the resident parent in an attempt to banish the existence of the non-resident parent. Hale *et al.*, also claim that women use obstruction in the aftermath of a relationship in which there was a “mutual imbalance in the power exercised by the two parents and where the mother fears she will be wholly undermined and become helpless and totally inadequate again if there is any channel of contact between herself and the ex-partner, even when that only involves the child. The child can be used as a weapon in such a bid to continue to hold power over the mother” (2009:473).

At the time of fieldwork, the lack of enforcement measures when orders were breached was seen as one of the key findings in the legal framework. This meant that courts only had the power to enforce contact orders through contempt of court proceedings, under which a non-compliant parent may be fined or imprisoned, or by transferring the residency of the child from one parent to the other. These measures were rarely used, as the courts have to take into consideration the implications these measures would have on the welfare of the child (Select Committee on Draft Children (Contact) and Adoption Bill, 2005). In an effort to combat obstructive parenting, a contact order enforcement provision was implemented in the Children and Adoption Act 2006 (11J), stating that non-compliance of a contact order will result in a parent being given an enforcement order imposing on that person an unpaid work requirement in their local community, or in some cases, the imposition of a compliance monitoring requirement, that is, electronic tagging (Select Committee, 2006).

As enforcement orders are rarely used due to them being against the interests of children (Norgrove, 2011), it has been suggested that where an order is breached, the case should go back to court to the same judge to be heard within a fixed amount of time in order to be resolved within a single hearing. If the order is still breached after 12 months, the couple would be required to attend a Mediation Information and Assessment Meeting (MIAM) and further mediation, before returning to court. Only then would punitive forms of enforcement be

considered. For the non-resident parent this procedure may seem daunting and leave them disillusioned with the judicial system, but with the reluctance of the courts to interfere in family matters, except when necessary, the emphasis is placed on educating the parents on what is best for the child in the hope that an agreement can be mutually reached.

There is no easy way to combat ‘obstructive parenting’, especially if it has taken place over a long period of time and the parent-child contact has been greatly reduced. There are no winners in this process. The main loser is the child who may very well lose the father-child contact altogether. Therefore, some have suggested that the courts need to work closely with experts in dispute cases to ensure that the child’s wishes are given deeper examination, so that short and long-term harmful consequences are avoided (Baker, 2005). The issues of fluidity of contact and ‘thwarted’ contact are just some of the problems non-resident fathers have to negotiate post-divorce/separation. Another important issue that fathers have to consider is that of step-parenting, which may involve them becoming step-parents themselves, or having to accept that their children will be cared for by a step-father if their former partners decide to re-marry.

Stepfamilies: Balancing biological and social fathering

Although dominant discourse supports the claims of biological fathers (Smart and Neale, 1999), there are various forms of social fatherhood, that is, men who parent outside biological fatherhood, most notably, step-fathering (Marsiglio, 2004). There are a number of routes into stepfamilies as a result of varying circumstances (Featherstone, 2004). It has been suggested that step-fathering has become more commonplace through higher rates of divorce and re-marriage, although re-partnering after a death of a spouse is also witnessed (Robinson, 1991). According to Babb *et al.* (2006), more than ten per cent of all families in Britain in 2005 were stepfamilies; this figure rose to 11% in 2011, equating to 544,000 stepfamilies with dependent children in England and Wales (ONS, 2014b).

Step-parenting is not without its challenges. The strengthening rights and responsibilities attached to birth fathers, obscures the complexities of fathering practices in families today.

According to Featherstone (2009), this poses questions about the role of step-fathers or mother's long-term partners? What happens if a birth father and step-father are in dispute? In a study carried out by Bradshaw *et al.* (1999), non-resident fathers who had re-married reported that their new relationships often aroused jealousy in their ex-partners and this often led to tensions in co-parenting. Similarly, when mothers re-married, the non-resident fathers reported feeling troubled, as their children were spending more time with the step-father as they lived in the same household. Accommodating new partnerships was not very easy, especially if the new partner had children of her own. As stepfamilies differ in terms of history and everyday lives compared to nuclear families (Robinson, 1991), a number of complex transitions have to be negotiated. There are a number of people in the stepfamily network with whom connections have to be forged. "Stepfamilies are not usually confined to one household, there are two or more households, which result in ambiguous boundaries, as both need to be involved in any decision-making as well as managed by the binuclear family members" (Robinson, 1991:114).

With more couples cohabiting, especially post-divorce, experience of a previous marriage may leave individuals with a disinclination to re-marry. A common feature of stepfamily life is the movement of children between households. These could include contact visits to their biological parent, ranging in time from hours to holidays, or because children have a shared parenting arrangement with both parents. Aldous (1996) suggests that due to the structure of stepfamilies, loyalty conflicts are likely to be more prominent, as psychological bonds have to be made between other adults and siblings in stepfamilies. Although loyalty conflicts could be strong initially, they are likely to diminish over time as the stepfamily becomes a unit.

A further consideration with stepfamilies involves financial resources. These can often become very complex with child support going in and out of the same household and with an increase in financial commitment when supporting more than one household. In a study carried out by Eekelaar and Maclean (1997) on social parenting, where two parents were living apart but their child was living with one of them, the authors wanted to establish how far familial obligations are, or should be, related to social parenthood and how far to biological parenthood. The findings revealed that non-resident fathers were divided on continuing financial support when the ex-partner re-married, whereas the mothers saw financial support as part of the biological father's obligations (Eekelaar and Nhlapo, 1998). When a mother remarries and the children

do not like or accept her new partner, this could put the non-resident father in a difficult position. Both men will vary in fathering practices, and if the children feel that the new step-father is too strict or controlling and do not wish to return home after visiting the non-resident father, this could leave him emotionally drained and at a loss as to what to do. That said; the situation is the same for mothers watching non-resident fathers' new relationships unfold.

In a study carried out by Smith (2003), *New Stepfamilies*, it was found that when assessing children's well-being there was no significant association between their well-being and the amount of contact they had with their non-resident parent. What was evident was the nature of the relationship with the non-resident parent. Children who viewed their relationship with their non-resident father as the same as before, had higher levels of well-being as did children who reported they had enjoyed contact with their non-resident father. In other words, the quality, not quantity of time spent with the biological non-resident father was more important in relation to the child's well-being. That said, there is the possibility that a step-father can legally apply to achieve parental responsibility under section 6 of the Adoption and Children Act 2002; if the order is granted, it removes parental responsibility from the child's birth parent(s) or anyone who has parental responsibility for that child (HMCTS, 2014). Conversely, the court can only dispense with that consent if it is satisfied that the birth parent(s) cannot be found; if he/she lacks capacity to give consent under the Mental Capacity Act 2005, or if the welfare of the child requires it (HMCTS, 2014).

It is clear that stepfamilies cannot expect to become the same as nuclear families, and yet many functions are the same. More importantly, the development of subsequent partnerships demonstrates the dynamic nature of relationships. And the fluidity of family structure both within and across parents' distinct households. The formation of stepfamilies can be highly intricate, where complex networks emerge (Featherstone, 2004) and include variations in how challenges are met. Step-parents may need to develop a separate, non-traditional parenting role (Hetherington and Stanley-Hagan, 1999), but boundaries must be flexible to include the child's relationship with the non-resident parent as well as the extended family.

Conclusion

In summary, by outlining and encapsulating the extent of the research covered across recent decades, it can be seen that there has been some radical shifts in the way that fatherhood roles have been conceptualised in terms of both family structure and social and economic characteristics. Fatherhood roles, not surprisingly, have been marked by a diverse range of perspectives historically, culturally and socio-economically. The general assumption that fathers will become more involved in their children's upbringing and begin to share more of the housework has been questioned by many sources, as this is seen to cause strain on the traditional 'breadwinning' ideology, and a supposed decline in 'family values'.

Social and economic changes in the mid-to-late twentieth century when male unemployment increased significantly and female employment outside the family increased had an impact on men's roles and responsibilities especially in the familial arena. Men's more active involvement in family life began to break down assumptions that privileged women's way of parenting in the family realm. In a range of domains, men were viewed to be just as capable as women when participating in childcare activities. Therefore, fatherhood is now being located within a wider policy and legislative context in order to restructure the gendered division of labour into childcare responsibilities.

The importance of fathers for child welfare is a topical issue both in academia and policy-making. Policy documents that have emphasised the importance of the father-child relationship include: *Supporting Families* (HMT/DfES, 1998), *Every Child Matters* (HMT/DfES, 2003) and, more recently, *Every Parent Matters* (HMT/DfES, 2007). Fathers today are faced with the challenge of balancing work commitments with spending more time engaged with their children; so, according to Hauari and Hollingworth "the importance of a fathers' role within the family is now stressed over and above the role he has traditionally filled in the workplace as the family breadwinner" (2009:45).

Since the 1970s, when divorce became more accessible, fathers found that their involvement with their children post-divorce was often limited. With more and more females becoming

lone parents and depending on the welfare system for income, the government introduced the Child Support Act 1991 to increase the responsibilities of the parents. This responsibility fell heavily on separated/divorced fathers for maintaining their children and ex-partners who care for them. Public policy views both parents as responsible for the financial security of their children even though the child(ren) may not currently live with one of their parent's.

Chapter Two

The Law and Legal System: ‘In the Best Interest of the child’

This chapter will discuss the impact of legal and state welfare agencies on parents whose relationships break down. As this topic covers a vast area of family law policy, it will be impossible to discuss the far reaching implications in great detail; therefore, this chapter will consider some of the main developments of family policy, as they have an explicit bearing on fathers. The fathers in this study all experienced interaction with various agencies, and for most fathers the experiences were daunting. That said, these agencies have a responsibility to make decisions based on the child’s best interests and therefore, not all the decisions made were going to be favourable. For the purpose of this study, the discussion will refer specifically to non-resident fathers, although it must be acknowledged that non-resident mothers also find themselves engaged in the same legal arenas and with the same government agencies. In family relations, parents have certain obligations and these are often created or regulated by the law (Mueller-Johnson, 2005). At the time of fieldwork, in post-divorce/separation circumstances, it was the duty of the resident parent (usually the mother) to allow contact between the non-resident parent (usually the father) and the child. But, in situations of divorce when emotions are often running high, parents do not always act in a rational manner, which may result in conflicted relationships.

The majority of fathers in this study were unable to communicate with their ex-partners due to high levels of conflict therefore, the family court decided on arrangements concerning their children. A number of agencies such as Mediation Services, CAFCASS and the CSA (now known as the Child Maintenance Service) were involved throughout the divorce process and not all decisions made by the agencies were favoured by the fathers. When fathers attended FNF meetings they were encouraged to raise any concerns regarding their case. Most concerns focused on their experience with the above mentioned agencies and how this impacted on their sense of fatherhood. This chapter will therefore discuss why these agencies are needed in times of conflict and how they act in the best interest of the child when parents are unable to do so through lack of effective communication. It must be recognised that many changes in policy and legislation have occurred since completion of my fieldwork and these will be addressed in the

appropriate sections of this chapter. Also, during my fieldwork the majority of fathers in this study were making child maintenance payments to the CSA. Therefore, the CSA will be referred to in this chapter despite substantive changes in the administration of what was the CSA, followed by the Child Maintenance Enforcement Commission (C-MEC) and now the Child Maintenance Service who are responsible for collecting payments from non-resident parents.

After a relationship breakdown, both parents have to renegotiate their parenting roles and try to find a way in which to communicate with one another in a civil manner in order to reach an agreement over the welfare of their children, but not all parents are capable of this due to inter-parental conflict. When agreements cannot be reached, some parents find themselves having to commence legal proceedings in the family courts. The Children Act 1989 stipulates the courts are not able to make orders regarding children unless it is in the best interest of the child to do so. Therefore, parents are expected to attempt mediation in the hope of securing an agreement over the welfare of their children.

Although sustaining a father-child relationship through regular contact is a major issue post-divorce/separation, a non-resident father also has a financial obligation to his children. Most fathers provide financially for their children either through what was the Child Support Agency at that time, or by mutual agreement with the mother. However, some fathers avoided maintenance payments, and it was for this very reason that the CSA was first established. As of June 2010, an estimated £3.8 billion in maintenance arrears needed to be collected by the Child Maintenance Enforcement Commission (C-MEC), formerly known as the CSA (Iain Duncan Smith – Secretary for Work and Pensions, 2010). However, the outstanding child maintenance arrears to March 2015, was estimated to be £3,859 million (DWP, 2015a). What impact, therefore, has the Children Act 1989, the legal arena and government agencies had on non-resident fathers?

The Welfare of the Child

The Children Act 1989 which came into force in England and Wales on 14th October 1991, is based upon the firm belief that children are generally best looked after within the family, with

both parents playing a full and active role in the child's life and without resort to legal proceedings. The Act stipulates that the welfare of the children is of paramount consideration. The Children Act 1989 is a key piece of legislation, both in private law and public law and focuses on the responsibilities of individuals and the state towards children and young people in meeting their welfare needs, with both parents playing a full and active role in their lives. In private law cases (which this thesis will focus on), where conflict between couples is an issue and children's arrangements have to be made and decisions reached on parenting post-separation; a judge will make a decision "ensuring the process achieves the best outcomes possible, or the least detrimental, for those involved, especially children" (Ministry of Justice, 2011:19). The implementation of the Children Act 1989 provided, for the first time, a relatively comprehensive and integrated statutory framework to ensure the welfare of children. The welfare of the children is of paramount consideration.

The Children Act addresses three main concerns: Firstly, the Courts are not able to make orders regarding children unless the parents are in fundamental disagreement about where they should live. Secondly, in conflicted disputes it is likely that court ordered arrangements for contact will be implemented. Finally, if there are concerns about the children's welfare, orders will be made by the courts when it is in the best interest of the child to do so. Therefore, parents are encouraged to seek agreement wherever possible. However, the 1989 Act retained the rule that "where a child's mother and father were not married to one another at the time of his birth, only the mother has parental responsibility automatically, although the Act also provides several ways in which the father may acquire it" (Hoggett, 1993:9). The Adoption and Children Act 2002 contained some amendments to the Children Act 1989. The most significant amendment for many unmarried fathers was parental responsibility, which came into force on 1st December 2003. From that date, it was likely that a father could obtain parental responsibility if both parents registered the birth together.

The Act stipulates that children should always be consulted (subject to age and understanding) and kept informed about what will happen to them. Court decisions about their future upbringing should be responsive to their needs. Parents and the wider family circle (grandparents or other relatives) should continue to have a role to play in the lives of their children, even when they are living apart from them. Nevertheless, in conflicted relationships

this is not always possible as some non-resident fathers may not want to keep in touch (Blackwell and Dawe, 2003; Trinder *et al.*, 2002; Bradshaw *et al.*, 1999). In contrast, obstruction by a hostile parent could be another reason for contact breakdown; this issue has now been addressed in The Children and Families Act 2014, which gives the court wider powers to deal with non-compliance of court orders. The main aim of the Act is that children issues must be resolved as soon as possible so that minimum disruption is caused to the child's life (this is known as the 'delay principle'). Unfortunately, in some instances this is not always the case due to the resident parent using delay tactics, or the sheer volume of cases a particular court has to deal with.

An obligation of responsibility

Today, the term 'parental responsibility' is used in statutes in place of parental 'rights', 'powers', or 'duties', but the law does not present us with an inventory of what this includes. According to Hoggett, "parental responsibility therefore involves a complicated tripartite relationship between parents, children and outsiders, which contains elements of both the private law (governing legal relations between private persons) and the public law (governing legal relations between private persons and state authorities)" (1993:5). The Children Act 1989 sets out most of this law. Parental responsibility "is both the fundamental *concept* of the Children Act 1989 and one of its most important underlying *principles*" (Hoggett, 1993:9). The Children Act defines parental responsibility as "all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property" (Conrad, 2003:69). Thus, parents share responsibility for their children, with none or little intervention from the state until things go wrong.

Parental responsibility, as a legal concept, has its downfalls in the sense that it is not completely gender neutral. Although mothers and fathers can have parental responsibility, mothers automatically have the right when the child is born. In 1987, the Law Commission's consultation revealed that influential groups thought that automatically to equate the legal position of the father with that of the mother would give rise to considerable social evils. Even though a genetic father is to be considered a parent whether or not he is married to the mother of his child, he will not necessarily have parental responsibility. Fathers can, however, acquire parental

responsibility if they are jointly registered on the child's birth certificate, by legal agreement with the mother, by court order or by marriage to the mother (Norgrove, 2011). Lowe and Douglas argue that "where parental responsibility is shared, each person in whom it is vested 'may act alone and without the other (or others) in meeting that responsibility' except where a statute expressly requires the consent of more than one person in a matter affecting the child. This power to act independently, however, is subject to the important limitation under s.2(8), namely, that a person with parental responsibility is not entitled to act in any way that could be incompatible with a court order. There is no legal duty upon parents to consult each other since; in the Law Commission's view such a duty was both unworkable and undesirable" (2007:432).

The Law Commission failed to distinguish between daily practicalities and serious and/or long-term decisions affecting children. No one, presumably, would disagree that parents must be able to act independently in carrying out the basic tasks involved in looking after a child. But, does it follow that they should be able to act alone with respect to serious issues such as choice of school, religious upbringing or elective surgery? Under the new law, the theory is that these decisions will be a matter for both parents by virtue of their continuing parental responsibility. But, how realistic is this with no regular consultation and no rights of objection?

In the majority of cases following separation/divorce (Martin, 2015) parents opt for shared parenting, which enables the child to spend time with both parents, and in the best interest of the child, shared parenting is the preferred solution. With both parents having an equal share in the physical care of the child, all legal rights connected with responsibilities and obligations are shared. However, in cases involving parental disputes where the court has made a decision on who is to be the primary carer, the clear implication of child arrangement, as generally understood, is that a parent without physical care has a right to be kept informed about the child's upbringing and be brought into decision making (Maidment, 2001). It is expected under such an arrangement that parents will communicate and negotiate with one another on the details of shared responsibility. The fact that the legislation does not require parents to do so, casts doubt on the genuineness of the apparent wish to secure the active participation in upbringing of all those with parental responsibility. That said, case-law has established that in certain circumstances parents are under a legal duty to consult, meaning that where parents are separated, the parent with primary care is not always entitled to act without first consulting the

parent without physical care. In 1998 the Court of Appeal (*Re H (Parental Responsibility)*) stated that a father with parental responsibility would have to be consulted on “schooling, serious medical problems and other important occurrences in the child's life” (FNF, 2015a).

Prima facie, we might expect that where the parent with care is (perhaps temporarily) unable or unwilling to look after the child, the non-residential parent who also has parental responsibility, ought to have a primary function in taking over the care of the child. We might also expect that parent to have a right to object to intervention by the state. After all, the non-resident parent is just as much the child's parent as the parent with physical care. Ordinarily, a person with parental responsibility does have such a right of objection to voluntary arrangements providing that he/she is willing to look after the child themselves. Yet, we find that this right is removed where there is a court order in favour of the person making the voluntary arrangements (Bainham, 2005). At the time of my fieldwork applications for what were known then as residence orders, were usually made between private individuals, under s8 of The Children Act 1989 and could be granted to more than one person whether they lived together or not (CAFCASS, n.d.). A residence order could also be issued in disputed cases stating where and with whom a child should live.

The detailed provisions of the Statutory Scheme rendered it unlikely there would be a substantial increase in dual parenting following marriage breakdown (Bainham, 2005). The Commission's own empirical survey revealed a very high proportion of sole residency orders in favour of mothers. It also showed that where joint residency orders were made, in a high percentage of cases the mother would nonetheless have primary care of the children (Diduck, 2003). More fundamentally, the legislation does nothing to encourage the practice of ‘time sharing’ or shared physical care which is often an accompaniment of joint residency in other jurisdictions. The kind of continuing parenthood which the Act tacitly supports is not parenthood in this fullest sense, but a kind of shadow parenthood from a distance. In contrast, the Ministry of Justice proposed legislation in favour of the involvement of both parents in a child's life; in other words, co-operative parenting following family separation (Department for Education, 2012).

On the 22 April, 2014, The Children and Families Act 2014 introduced key changes relating to children in private law matters. These changes related to (a) Compulsory MIAMS, (b) Continued parental involvement, (c) Child arrangements orders (Heenan, 2014). Child arrangements orders replaced residence and contact orders (McCallum, 2014). Under section 12 of the Act, there will be “a single order, a "child arrangements order", which deals with the arrangements as to "with whom a child is to live, spend time or otherwise have contact" and "when a child is to live, spend time or otherwise have contact with any person” (Heenan, 2014). The aim of The Children and Families Act 2014 is to ensure that separating parents attend a MIAM and then consider mediation as an alternative to a “courtroom battle” (Heenan, 2014). The Act also stipulates that it is important that children have an ongoing relationship with both parents after family separation, where it is safe and in the child’s best interest (Heenan, 2014). Nevertheless, this does not mean an equal division of time between parents, but “the quality of parenting received by the child” (Heenan, 2014). This implies that parents who are able and willing to spend a positive role in their child’s care should have the opportunity to do so. This will help reinforce the notion that both parents are jointly responsible for the child’s upbringing. However, if separation/divorce is imminent in conflicted relationships, what help and support is available to parents regarding relationship breakdown?

Mediation: A process of eliminating or facilitating gender power imbalance?

In any married relationship, disputes over how children are brought up or how they are disciplined may arise at any time, but very often they occur either prior to, or during separation/divorce. During divorce proceedings, disputes often surface about where children should live, how much contact they should have with each parent, their education and issues concerning their health. It is at this stage of family life that conflict arises between children’s rights and parents’ responsibility. Parents may decide to end their relationship and sever all ties with one another, but children are caught in the middle of such disputes as they may wish to remain attached to both parents. Children’s wishes are sometimes disregarded in conflicted relationships, with warring parents often neglecting the emotional impact divorce has on the child. Gone are the days when a family judge imposes orders on divorcing couples regarding property, maintenance and children. Today, separating/divorcing parents are strongly encouraged to make their own arrangements regarding their child’s care and upbringing however, parents experiencing conflicted relationships who are unable to do so, will be expected

to first attend a family Mediation Information and Assessment Meeting (MIAM) to find out about and consider mediation as an alternative means to settle their dispute. This provision is part of The Children and Families Act 2014 (legislation.gov.uk, 2014), which sends a clear signal to separating parents that courts realise the importance of both parents continuing to be involved in their children's lives where it is safe and consistent with the child's welfare.

Divorce has always been a 'public interest' in family law. The law, according to Hoggett (1993), insisted on public proof of a matrimonial offence before divorce was granted. Marriage seemed to be the only acceptable legal relationship, until the introduction of the Divorce Reform Act 1969 (which came into force in 1971). Irretrievable breakdown and divorce by consent were two new grounds which were taken into consideration in the family courts after the new Act. Although there is still a public interest in determining familial responsibilities, the courts now lay emphasis on private ordering and recommend mediation as the default option for parents who cannot agree child arrangements. Mediation is intended to be an alternative to traditional adversarial litigation that once identified divorcing parents as 'winners' and 'losers' of the legal system (Robey, 2015). Through mediation, the onus on the best outcome for the children lay with the parents, rather than with the courts.

According to Smart and Neale (1999) since the Divorce Reform Act of 1969, solicitors were the main actors in the legal processing of divorce. At one time, the duty of the solicitor was to bargain (Mnookin, 1979) in divorce cases, and these cases in effect were assumed to be rubber-stamping exercises. Nevertheless, since the Children Act 1989 a "settlement culture" (Smart and Neale, 1999:155) emerged whereby divorcing parents were encouraged to come to an agreement through negotiation, which means solicitors were actively encouraged to negotiate rather than litigate. According to Davis (1988), the lawyer's role was reformulated into that of the mediator where family law was concerned. However, according to Smart and Neale (1999) although solicitors were the main conduit for divorce, their monopoly over matters relating to children on divorce has been increasingly challenged by the growth of mediation and conciliation.

It is the duty of solicitors and legal advisers to advise their clients of the option of mediation in family law cases. In response to a National Audit Office (NAO) survey of recipients of Legal Aid, 33% said mediation as an option was not made aware to them by their adviser. Of those

who were not told of it, and so did not try it, 42% said they would have been willing to (NAO, 2007). It has been argued that the issue of finance will produce a two-tier system (Smart and Neale, 1999), with the more affluent client being able to pay for a solicitor that they are able to instruct on their behalf, whilst the less well-off client will be encouraged to use mediation. Smart and Neale propose that embedded in this two-tier system is a gender dimension whereby women clients (if they rely on legal aid), will be directed towards mediation, whilst male clients who are able to afford solicitor's fees will be able to buy "partisan support" (Smart and Neale, 1999:157).

In a study carried out by Smart and Neale (1999) of British parents who experienced mediation, it was found that mediation creates different, gendered expectations. The mothers in the study thought mediation encouraged harassment and the fathers thought mediation pointless, as it did not lead to an enforceable contract. Of the eleven parents in the study who experienced mediation, only two felt positive about their experience. Concerns about whether mediation is a 'good thing' or a 'bad thing' have also been voiced by other academics (Davis and Pearce, 1999a and Bailey-Harris *et al.*, 1999a). Davis and Pearce seem to think that there was a growing pressure on divorcing parents to settle their disputes and as a result, agreements are reached which may be the result of "highly pressured lawyer/welfare officer negotiation" (1999a:147), whilst Cantwell and Scott refer to the pressured mediation as "shotgun agreements" (1995:345) which, over time, may not be adhered to. Although mediators aim to facilitate personal agreements between parties, in a study carried out by Walker *et al.*, it was found that solicitors were seen to "change the focus of mediation towards entitlement rather than focusing on mutual needs and mutual fairness" (1994:135).

In contrast, McCarthy and Walker (1996) conducted a three year follow-up study of 113 people, in which they assessed the long-term impact of mediation, and found that 60% said that it had helped them to reach agreements about children, and 66% felt they had been helped to reduce conflict. The authors pointed out that reaching agreement should not be seen as the 'be all and end all' of mediation, as mediation could produce other advantages, such as reducing bitterness, improving communication and enhancing negotiating skills. Mediation therefore, could have a significant impact on the quality of life post-divorce/separation as it plays a vital role in the promotion of co-operative relationships after divorce. Despite the negativity

surrounding mediation by some, it is an approach to family disputes that has become “an acknowledged part of legal policy and of the substantive law” (Fisher, 1992: ix), with The National Audit Office claiming that mediation cases are quicker to resolve, taking on average 110 days, compared with 435 days for non-mediated cases (NAO, 2007). These figures were still being quoted in 2013 in a government press release entitled ‘*Mediation - the best option for children*’ (Gov.uk, 2013), despite an extensive search to obtain up-to-date statistics relevant to the period 2014-2015. A possible reason for this according to a report by the Family Mediation Task Force (2014) is that in England and Wales, robust statistics regarding separating couples’ dispute resolution are not coordinated effectively (Ministry of Justice, 2014a).

The establishment of family mediation in Britain in 1979 has now rapidly become an acknowledged part of legal policy, especially in the case of family disputes. Separated or divorced parents are encouraged to resolve their disputes without resort to legal proceedings. Mediation first became prominent under the Children Act 1989, as it introduced new principles of ‘parental responsibility and non-interventionism’ of the court. According to Fisher, “the principle of non-intervention by the court reinforces the principle of parental responsibility, in its presumption that there is no need for a court order at all except where an order is the most effective way of safeguarding or promoting the welfare of the child” (1992:ix). Hence, separating individuals are expected to seek mediation to try to resolve their disputes, especially those concerning the arrangement for children. Conflict can often be a dominant issue in Private Law matters and conflicted parties pose a considerable challenge to the Family Justice System (Leach, 2005). The resolution of conflict in order to ensure beneficial parenting can only be achieved when some degree of consensus and co-operation from both parties is restored. It must be pointed out, however, that this can sometimes be easier said than done. Divorce can be a very painful and emotional experience, and it can be very difficult post-separation, if the two adults are at loggerheads with each other.

It is not an easy task to bring together two, often disputing adults, whose emotions are running high, and to try to get them to make informed decisions concerning the children. According to Douglas (2006) very often the adults are too emotionally exhausted or upset to even contemplate the practicalities of separation/divorce, which could lead to inequalities in bargaining powers between the parents. For example, the non-resident parent (usually the

father) is almost always in the weakest bargaining position, as it is usual that he has “less contact with the children, less influence over them and less power to determine the terms of contact” (Roberts, 1997:121). The mother, however, is in a much stronger bargaining position, as she is usually the resident parent and the one with more parental responsibility. This is not to say, however, that mothers are not disadvantaged after divorce/separation, as according to Roberts, mothers “carry the burden of responsibility for looking after the children single-handed, making ends meet, and trying to carve out some independent life for herself free of the emotional stress that contact with her former partner brings” (1997:121). Dingwall *et al.* (1996) argue that mediation simply equalises the power imbalance by viewing fathers as being in deficit and mothers as being in surplus. It is, therefore, the mediator’s obligation to remain impartial to both parties and help them reach informed and mutual decisions in a safe environment. In a research study carried out by Walker *et al.*, (2004), it was argued that too much emphasis was placed on ‘making contact work’. The authors suggest that other forms of contact could be used to maintain the parent-child relationship, whilst the main focus should rest with resolving disputes between parents.

At the time of fieldwork, mediation was an increasingly prevalent solution for working with divorcing couples with disputes (Douglas, 2006). As a conflict-resolution tool, this technique was frequently implemented in the family court system. Between October 2004 and March 2006, some 29,000 people who were funded through Legal Aid attempted to resolve their disputes through mediation. In the same period, 120,000 family disputes involving finance and children were completed through court proceedings or bilateral negotiation between solicitors (National Audit Office, 2007). In April 2014 significant changes were made in family law. Part of those changes involved the “formal implementation of the largest reform of the family justice system” (Munby, 2014a:1). As well as the three main areas mentioned previously, those being: compulsory MIAMS, continued parental involvement and child arrangement orders (Heenan, 2014); the Child Arrangements Programme (CAP) was also championed by the President of the Family Division, Sir James Munby. The CAP is implemented where a dispute arises between separating parents or families regarding arrangements concerning children. The aim of the programme is to assist families to reach safe agreements where possible out of the court setting. If agreements are not reached and a court application has to be made, then CAP encourages the swift resolution of the dispute through the court (justice.gov.uk, 2014). Today however, separated couples who are unable to reach agreement concerning the care of their

children and who want to take their case to court, are, in most cases, required to attend a Mediation Information and Assessment Meeting (MIAM). The concept of attending a MIAM is to gain an insight into how mediation works; to gauge whether or not mediation is a viable option for attempting to resolve differences; how many sessions would be needed and the overall cost (Family Mediation Council, 2015a).

According to National Family Mediation (2015a) the service conducts 36,000 MIAM's per year; 59% of MIAM's delivered in 2012/13 were legally aided and 41% were privately funded, but in 2011/2012 the number of legally aided MIAM's were higher at 68% and 32% were privately funded. The National Audit Office (2014) claims that there were 17,246 fewer mediation assessments in 2013-2014, a 56% decrease from 2012-2013. It has been suggested previously by Heenan (2014) that the drop in legally funded mediation is a consequence of the implementation of the Legal Aid, Sentencing and Punishment of Offenders Act (LAPSO) 2012, which came in to force in April 2013. According to the BBC (2013) the changes in legal aid were made in an effort to "cut the £2bn annual legal aid bill in England and Wales by £350m a year". One of the key changes introduced by LAPSO was lack of legal aid for divorce cases; that said it would only apply to clients where specific evidence was available in relation to domestic violence or child protection (Legal Aid Agency, 2014). This implied that the government were only targeting those most in need; but what about separating couples living on the bread line or those who are financially disadvantaged?

Separating couples where domestic violence or child abuse is not an issue would have to pay privately for advice, or possibly represent themselves in an effort to solve their disputes. If couples felt the need to represent themselves, then as Lord Neuberger, President of the Supreme Court pointed out, it could mean that "court hearings will last longer; the burden on court staff and judges will increase" (BBC, 2013). Nevertheless, the government insisted that in divorce cases, courts should be used as a last resort, and mediation should be encouraged as it is cheaper, less acrimonious and is more successful in resolving disputes. Since the implementation of compulsory attendance of MIAM's, referrals to MIAM's rose slightly from June to September 2014 at 4023, compared to the same quarter in 2013 when the figure stood at

3360. Of the 4023 referrals from June to September 2014, 1257 (66%) reached successful agreements (Ministry of Justice, 2014a).

For those couples who need mediation sessions following a MIAM, the reality of the separation/divorce could appear daunting and couples could become uncertain of the future. Couples have to reach formal agreements together without any 'outside' influence. Any decisions made during the mediation process are not legally binding, unless it is the couples wish to have them made so. Only then, through the court, do the decisions become a legally binding agreement and a consent order is made (Ministry of Justice, 2014a). Of the 16,000 Mediation Starts conducted in 2012/13, 89% went on to close successfully with couples agreeing on all or some issues. These figures suggest that the government's policy to divert separating couples away from the courtroom to mediation is working, and can be seen as a positive move towards helping couples reach their own child arrangements.

There will always be a small minority of couples who, for whatever reasons, are unable to communicate successfully in conflicted relationships. In such circumstances, a court application may be necessary to determine child issues. In such an event, the court may decide to look at what options are available for resolution and whether the case is suitable for further intervention by Cafcass/Cafcass Cymru. This could result in a court order being made for the couple to attend a Separated Parents Information Programme (SPIP), or in Wales, a Working Together for Children (WT4C) programme (justice.gov.uk, 2014). These programmes were implemented not to focus on a couples 'parenting skills', but rather to help them recognise the damage that conflict over separation issues can do to children (National family Mediation, 2015). Both couples are expected to attend the course separately, in an endeavour to help learn the basic principles of how to manage any conflict and difficulties between them (Cafcass Cymru, 2015). The overall aim of these programmes is to enable parents to speak freely about their situation and to support them to communicate together, free of conflict, in the best interest of their children. This can only be seen as a positive move by the Court, to support children who are suffering as a result of conflict caused by parental separation. In the unlikely event that parents are unable to reach an agreement over child arrangements themselves, then the Court will make the decision for them.

The Children and Family Court Advisory and Support Service (CAFCASS)

CAFCASS was set up in 2001, “its remit being a simple yet effective one: to provide children with fair representation in a family court and provide their families with advice and support where needed” (Law and Parents UK, n.d.). CAFCASS is a public body which is primarily charged with looking after the welfare of children who are involved in proceedings centred around the family court. It draws together functions previously carried out by three different services across England and Wales: The Family Court Welfare Service (part of the Probation Service); the work of the Guardians ad Litem and Reporting Officers (previously a responsibility of local authorities), and the Children’s Division of the Official Solicitor (HMICA, 2002). CAFCASS is accountable to the Ministry of Justice but is independent of the courts, social services and other similar agencies (Cambridge Family Law Practice, 2014).

At the time this fieldwork was carried out in some situations of conflicted relationships, it was the UK government’s policy to ensure that “the strongest possible encouragement is given to parties to agree mediation or other forms of dispute resolution” (DCA *et al.*, 2004: para. 65). This intervention was used as a means of encouraging parents who do apply to court, to use in-court conciliation provided by CAFCASS to resolve their difficulties informally. Today however, The Children and Families Act 2014 stipulates that parents who cannot reach an agreement over child arrangements are required by the courts to attend a MIAM and then independent mediation if necessary to settle their disputes. This is not to say, however, that informal dispute resolution will work in all cases as there are some parents that will not be able to reach an agreement no matter how much conciliation/mediation they receive. Also, there is a chance that some agreements made at conciliation/mediation will be breached (Mantle, 2001).

If, as a last resort, a satisfactory agreement cannot be reached, then conflicted cases are referred to the family courts. A court can request a welfare report under s7 of the Children Act 1989, from a Family Court Advisor (FCA) who is an officer appointed by CAFCASS England or CAFCASS Cymru (CAFCASS, 2015a), (who are the sole representatives of the child’s best interest) and a source of independent advice to the courts (Directgov, 2010), “to seek the wishes of children and do so directly, through speaking with the child, as well as indirectly via the parents” (CAFCASS, n.d.: 4-5) informing the court of the child’s wishes and feelings

regarding where they live and with whom they spend time. However, according to O'Quigley, "researchers who have attended to what children have to say have all reached the conclusion that the...situation is extremely unsatisfactory with regard to listening to the wishes and feelings of children involved in private law proceedings [as]...court welfare officer, mediators and solicitors, insofar as they attempt to ascertain the wishes and feelings of children, usually do so indirectly, through their parents" (2000:11-12). It has been suggested by Buchanan *et al.* (2001) that children experience high levels of distress when their parents are involved in private disputes over them; therefore the court welfare service had to be improved.

The voice of the child was one of many proposals put forward by the Norgrove Review of Family Justice in 2011 which addressed the need to ensure that children's interests are central to the operation of the family justice system. The review proposed that children's rights as individuals should be respected and that their wishes and feelings as participants should be taken into consideration in regard to decisions that affect them. According to the Family Justice Council, consultation response, "Offering children and young people opportunities for their voices to be listened to shows respect for them as individuals with rights and needs of their own, instead of treating them as possessions or objects of care" (Norgrove, 2011:45). Although the voices of children need to be heard, consultations with children need to be conducted sensitively, so that they do not feel that the burden of responsibility lies with them. A child's age and understanding must be taken into consideration, as well as providing the child with sufficient time to consider their decisions; professional support must also be provided for very young children by a skilled professional, so that their wishes can be understood in the family court.

In Wales, *The Rights of Children and Young Persons Measure (Wales) 2011* came into force in May 2012. This piece of legislation recognised the importance of the United Nations Convention on the Rights of the Child (UNCRC) and as such, became part of the Welsh government's domestic Welsh legislation for shaping new and existing policy. As of May 2014, Welsh Ministers as well as Cafcass Cymru Officers will be required to show how they have given due regard to the convention when making decisions regarding children, in an endeavour to empower young citizens with their rights and entitlements (Children's Commissioner for Wales, 2015). According to the Care and Social Services Inspectorate

Wales (CSSIW) Inspection report (2010), Cafcass Cymru was graded as satisfactory for its assessment, intervention and direct work with children. The report also stated that most children surveyed by CSSIW considered their views to be accurately reflected in the court report and that their views made some difference to what happened in their case (Cafcass Cymru, 2011). However, Mantle *et al.* (2006) state that there is little academic literature concerning how private law CAFCASS practitioners establish the wishes and feelings of children in welfare report enquiries regarding childcare arrangements. Therefore, further research on this topic would need to be carried out in order to gain a broader picture of the effectiveness and consequences of the voice of the child, and to determine whether or not the child's individual needs, requirements and wishes are being met. Hence, there is a need to briefly discuss the welfare reporting pre-CAFCASS in order to establish whether or not circumstances have improved post-CAFCASS.

Pre-CAFCASS welfare reporting process

A weakness undermining the Children Act 1989, which states that courts should consider the child's wishes and feelings (Great Britain: Children Act, 1989, s1(13)), usually through information conveyed to the court through a welfare report, is that even in conflicted and contested disputes involving children there is no obligation on the court to request one (Great Britain: Children Act, 1989, s7). Also, the lengthy delays involved in producing such reports often deter courts from requesting them. As Bailey-Harris *et al.* (1999a) report, in 28% of cases the court welfare reports took up to three months to produce, with 13% of cases taking between three to six months to produce. Court welfare reports were only ordered in 49% of cases. In contrast, Gerlis (2002) stated that reports in 2001 were taking between 12 weeks and 40 weeks to produce, and as a result delays could have a serious impact on non-resident parents' contact time and relationship with his/her children. However, according to CAFCASS Performance Report (2008-2009) reports during that period were taking between 12 weeks and 25 weeks to produce, which shows a slight improvement compared to those stated by Gerlis (2002) in 2001. According to CAFCASS England, the average private law case duration for 2014-2015 was 25 weeks (CAFCASS, 2015b); CAFCASS Cymru however, report that private law case duration in Wales for 2013-2014 was 27 weeks; this was a vast improvement on the duration time for 2011-2012 where cases took 56.7 weeks to complete (Cafcass Cymru, 2014).

Another flaw with the process concerned welfare officers' lack of time to talk effectively with children, with parents especially from inner city areas, reporting that interviews were conducted in welfare officers' offices, despite the Home Office (1994) making it clear that home visits should be considered. According to Buchanan *et al.* (2001), only 9% of inner city parents reported their children receiving a home visit, and parents also reporting that interviews were far too limited to assess children's needs or the parents' ability to meet them.

Another fundamental weakness was the role of the Court Welfare Officer (CWO) when reporting to the courts as the child's representative. It is suggested that CWOs often reported on the child's background rather than on his/her views, which depended on the officer's perception of the parents as 'clients', which produced a "we know best" (Hester *et al.*, 1997:31) attitude. This sort of attitude could have resulted in an outcome in the court being opposed by the child. Also, Davis and Pearce (1999a) argue that the CWOs had too much influence over the courts, given the paucity of their training, and which resulted in the Children Act Sub-Committee of the Advisory Board on Family Law (2000) recommending that CWOs should be better trained. All in all, there seemed to be a deeply flawed reporting process which needed to be rectified by giving children separate representation hence, the establishment of CAFCASS.

According to Crichton (2003), to have a large, co-ordinated, national organisation with a louder voice for children, seemed to be an appropriate decision, and although teething problems were expected, overall there was a sense of optimism that families would be provided with appropriate advice, support and assistance on how to cope with relationship breakdown as well as ensuring that children's views and wishes would be reported together with an account of how they were coping with parental breakdown.

Post-CAFCASS welfare reporting process

With the establishment of CAFCASS, CWOs became known as Children and Family Reporters (CFR) whose roles are to provide the court with a welfare (or CAFCASS) report (today they are known as Family Court Advisors). This meant that CAFCASS had to ensure that all CFRs had to be adequately trained, especially in relation to interviewing children and obtaining

detailed assessments of their needs, as well as interviewing parents and having the ability to call on professionals such as psychologists and psychiatrists if needed. Although this development could be seen as welcoming, there is the possibility that its function could be restricted if funding is unavailable or is in limited supply. Also, due to staff shortages (Buchanan *et al.*, 2001), delays in the time in which courts received CAFCASS reports meant delays in court timetabling, and a further delay in the non-resident parents' contact time with his/her children. These issues were highlighted in a report by the Children Act Sub-Committee (2001), where it was shown that most respondents to their consultation paper on contact were not satisfied with the legal process as it currently was. The report stated that CAFCASS reports sometimes took up to twenty weeks to be produced and were often of poor quality. These are just some of the teething problems CAFCASS encountered when it first set up.

Crichton (2003), a Resident District judge at the Inner London Family Proceedings Court, supplied the Lord Chancellor's Department with written evidence on a CAFCASS enquiry in his locality. He found that although CAFCASS genuinely sought to represent, safeguard and promote the welfare of children in court proceedings, issues needed rectifying, as he believed the service provided by CAFCASS was significantly less effective and efficient than the old type court welfare service. The main issue highlighted was the amount of cases awaiting a CAFCASS reporter, which suggested the possibility that delay was detrimental to a non-resident parent's relationship with his/her child and is something that will never be recovered.

A further issue was lack of input from professionals with a direct understanding of the needs of the service and the needs of those they were representing. This poses the question, if CAFCASS set out with a disadvantaged position, how was it going to rectify it with an already limited amount of support and resources? It is not surprising it has been unable to gauge improvements needed to be made to the service in order to benefit families and other key stakeholders. Whether or not the above mentioned problems relate to money, or lack of it, remains to be seen, but failure to provide a support, advice and guidance service to children and parents caught up in conflicted relationships could have long-term implications not just on families but, at an even greater cost to society. In contrast, over recent years, CAFCASS has been revised considerably and now provides a valuable service to children and parents alike.

Contact, however, is not the only issue facing parents' post-separation/divorce, there is also the issue of child maintenance, and this, in most cases, rests with the child's father.

The CSA, C-MEC and CMS

Prior to the Child Support Act 1991, child maintenance was awarded by the courts to the resident parent (usually the mother), and under the social security law at that time, a father was obliged only to support his wife and children *not* his *former* wife (Social Security Act, 1986, s.26(3)). This policy became the focus of criticism because according to Smart and Neale "it was permitting men to move from family to family, having more children, and then moving on again without suffering the consequences because the welfare state would be paying for the children he left behind" (1999:178). The Child Support Act, therefore, placed the financial responsibility back on the non-resident father, which produced a key assumption of family law policy in Britain that "both economically and in terms of parenting involvement, 'fatherhood is for life'" (Day-Sclater and Piper, 1999:131).

The Child Support Agency was set up in April 1993 primarily to recoup for the Treasury the money that was being paid out through the benefits system to single parents (Clout, 2003) by pursuing 'absent parents', as the Act called them, and obtaining maintenance from them. Maintenance was calculated using a complicated formula with figures drawn from social security allowances which were revised each year in line with the Department of Social Security (DSS) figures (Clout, 2003), but the original formula proved problematic as the CSA needed to obtain detailed information such as the income of both parents and their partners, and both parents' housing costs (Atkinson, 2014); and these figures were not readily forthcoming due to a complex formula of calculations and the length of time it took the CSA to gather its information.

In 2007 the CSA reported that 789,800 parents were contributing financially to their children. This figure represented the total number of cases in England and Wales (CSA, 2007). However, there were a number of parents who unfortunately, refused to pay child maintenance;

therefore, the CSA ran a campaign to try to combat this problem. The campaign ran across six major British cities and targeted non-paying parents who refused to pay child maintenance. According to the CSA, there were 62,000 parents who owed their children almost £200 million. The cities targeted were Newcastle, Sheffield, Birmingham, Manchester, Nottingham and Cardiff, with a further two cities (Liverpool and Glasgow) due to be targeted in September 2007. In England alone, 57,500 parents were targeted in comparison to 4,500 parents in Wales. In Cardiff and the surrounding areas alone, there were 4,500 parents who refused to accept financial responsibility for their children. Between May 2006 and April 2007, 230 non-paying parents in Cardiff and surrounding areas had their cases put through the Courts. This resulted in children in England and Wales being owed more than £15.6m in maintenance payments by their parents (Department for Work and Pensions, 2007).

It has been suggested that the CSA encountered numerous problems when it was first set up. Among the key problems were issues related to determining how much maintenance should be ordered, chasing the non-resident parent for financial information, the CSA getting calculations wrong and therefore causing a backlog of benefit cases, delays caused by problem with the computer system, and the difficulty in collecting arrears (Bates *et al.*, 2002). A major drawback of the Act is that it highlights the issue of financial responsibility for children over all other aspects of responsibility, with a total disregard to the importance of fathers maintaining contact with their children, and the cost associated with that. This notion of financial responsibility, therefore, restricts the non-resident father's role to that of breadwinner, and mother as carer, thus, reinforcing a highly gendered division of labour.

It has also been suggested that the Child Support Act 1991 was seen as “the product of a particular political and moral movement in British society, marked by a coming together of concerns about ‘family values’ absent fathers, a rising social ‘underclass’, crime and ‘moral breakdown’” (Collier and Sheldon, 2008:151). Initially it was met with a widespread public acceptance of the principle that parents should be made more financially responsible for supporting their children pre- and post-divorce/separation (Muncie *et al.*, 1997), but, in a matter of months from its enactment, it became one of the most criticised and potentially damaging pieces of legislation in family politics, with hate mail and death threats being made to staff at government offices. On the CSAs first anniversary “wreaths were laid outside the home of the

Chief Executive, Ros Hepplewhite, because six suicides have, unofficially at least, been attributed in part to the Agency's dealings with fathers faced with increased bills for maintenance" (Muncie *et al.*, 1997:116).

The media at that time reported the perceived injustices of the CSA based on ministerial rhetoric which referred to images of single divorced and separated parents as 'feckless' single mothers, 'deadbeat dads', and 'errant' fathers, as creating social problems and social ills. The CSA completely failed to acknowledge that some fathers were already paying maintenance and did not see themselves as 'runaway' or 'absent' fathers, but were still having to pay increased amounts of maintenance under the new formula. Fathers were also angry that the CSA ignored the expense connected with visiting children or having children visit them, and for some, this meant that contact could not continue. Also, the CSA disregarded the fact that some fathers had second families to support and whose standard of living was reduced due to the likely cost of maintaining a second wife and stepchildren.

The Child Support Act "endorsed the two-parent family where caring for children, financial responsibility and biological parenthood all coincide" (Clark *et al.*, 1995:135), ignoring the relationship between the two parents and their relationship with their children. The backlash against the child support policy was instigated mainly by separated and re-partnered fathers, although mothers who wished to be 'independent' of former partners were also vocal (Clarke and Roberts, 2002).

The CSA caused a great deal of trepidation among fathers and mothers for a number of reasons, some of which are mentioned above. The Child Support Act took a narrow and biologically based view of parental responsibility in which financial responsibility was treated in isolation from the social context of parenting, enforcing the notion of fathers as breadwinners with no recognition being made to their caring obligations, with the separation of money and care being a major issue for many fathers. Although a minority of non-resident fathers do attempt to avoid their financial responsibility towards their children, for the majority that do pay maintenance through the CSA, payment was never contested. It was providing financially with limited contact with their children and very often enduring a part-time father-child relationship that

generated so much outrage; the CSA had been set up to reduce public expenditure, and in doing so demonstrated its inefficiency and inability to fulfilling children's rights.

In a report by the Comptroller and Auditor General (2005/06), he acknowledged that although Reforms to the CSA were implemented, the CSA failed to deliver an efficient service. The CSA displayed significant flaws in its operation and, as such, have heralded a procession of reforms over the past fifteen years (Wikeley, 2006). Performance targets were not met and the net debt outstanding at 31 March 2006 was £1,413 million, which was due to be collected by the Agency from non-resident parents. As a result, the Child Support Reform programme was formally closed in October 2005, and on 9 February 2006 the Secretary of State for Work and Pensions signalled a major overhaul of the child support system by asking Sir David Henshaw to develop proposals to promote arrangements so that more children receive the child support to which they are entitled.

According to the Henshaw Report (2006) all parents with care claiming certain benefits were obliged to use the Child Support Agency to agree maintenance. This created major problems for parents wishing to make private arrangements and for those who did not wish to use the service. Parents claiming benefit saw their entitlements reduced pound for pound against maintenance collected; whilst non-resident parents who were paying maintenance saw their money being paid go to the state, not to their children. These were significant disincentives for parents to co-operate with the CSA. In an effort to reform the system, the Henshaw Report recommended that parents be allowed to make their own arrangements for child support, with swift enforcement measures being taken by the state when arrangements are refused or breached by the non-resident parent; this would be implemented by introducing sanctions such as the power to withdraw passports and imposing financial penalties.

The report also acknowledged the need for a complete overhaul of the system, hence, the introduction of the Child Maintenance and Enforcement Commission (C-MEC) which was established in 2008 with the primary objective of "maximising the total number of effective maintenance arrangements, whether made privately, by court order or through the statutory maintenance schemes" (C-MEC, 2011:4). One of the issues concerned simplifying the existing

formula on which child maintenance was based. The aim of the original child support legislation was to produce maintenance assessments which reflected child-care costs (Fortin, 2003) based on a couple's gross income. The new simplified formula now required the non-resident father to pay 15% of his net income, but what the White Paper (1990) omitted to acknowledge was that "when two parent families spend 30% of their income on their children, fathers contribute far more to this total than mothers...the 15% formula therefore appears to be completely arbitrary" (Fortin, 2003:299).

C-MEC had two delivery mechanisms; Child Maintenance Options which was responsible for providing information and support services and the CSA which operated two statutory maintenance schemes; the 'old scheme' for applications made before March 2003 and a 'new scheme' for applications made after March 2003. As a result of the new improvements in performance and services, where parents were able to make their own private arrangements regarding child maintenance, 60,000 children benefitted from it. Overall, a record number of children, 905,700, benefitted from maintenance payments during the year 2009-2010. Maintenance collected or arranged for that year amounted to £1,141 million, of which £147 million was payment of arrears (C-MEC, 2011). Under the new scheme, new enforcement powers were introduced to collect payments from non-resident parents through direct deduction of payments from bank and building society accounts of non-compliant parents, as well as the power to recover debt from a deceased non-resident parent's estate. According to the Commission (2011) these improvements contributed to the significant level of child maintenance collections in 2009-2010; but, in contrast, the overall outstanding maintenance arrears at the end of March 2010 amounted to £3,694,176 (C-MEC, 2011).

The Comptroller and Auditor General reported historic weaknesses with the above mentioned statutory schemes such as, the incorrect assessments of amounts due and the incorrect processing of accumulated arrears owed by some non-resident parents (DWP, 2014). The Government needed to do more to ensure that parents living apart contributed financially towards their children's upkeep; in other words, they needed to ensure that more money went to more children. In 2012 the Child Maintenance Service (CMS) was introduced in order to offer help and support to separating parents so that they are able to work out child maintenance themselves without resorting to the state for help. For those couples unable to reach family

based arrangements, the CMS introduced a scheme which works out how much, and when, child maintenance should be paid as well as collecting of non-payments. The entire emphasis of the CMS focuses on supporting separating parents make their own financial arrangements and in an effort to do so, the Department for Work and Pensions invested up to £14m in its *Help and Support for Separated Families* initiative by launching a *Sorting Out Separation* web application designed to “help parents identify their needs and signpost them to trusted information, tools and services. It includes more than 300 signposts to over 50 different organisations” (DWP, 2014: 5). If successful, it will mean that the CMS will have a reduced caseload which will result in the scheme being run more efficiently and effectively; more children will receive more money and a reduction in costs for the taxpayer.

Unfortunately, there are a minority of non-resident parents who attempt to avoid maintenance payments, but the CMS has implemented a number of initiatives to tackle this issue. For the small minority of non-resident parents who fail to meet their financial responsibility the CMS will take enforcement measures to recover the money; these include, taking money directly from their earnings; taking money directly from their bank, building society or Post Office account and as a last resort, applying to the court for a liability order to be implemented. If payments are deliberately withheld by the non-resident parent, then enforcement charges will be applied in addition to other charges (DWP, 2013). Since the implementation of the new scheme in 2012, it is reported that £7.6million was paid to the parent with care by the non-resident parent for the year 2013-2014, but the total amount of arrears stood at £3,980million at March 2014; a figure that has accumulated over the last 21 years (DWP, 2014).

Conclusion

This chapter has discussed the impact of legal and government agencies on non-resident fathers experiencing conflicted relationship breakdown. The fathers’ in this study all experienced the judicial system and the above mentioned agencies during their monthly meetings at Families Need Fathers. (The issues they raised concerning the various agencies will be discussed more fully in the empirical chapters). The Children Act 1989 introduced the notion that the relationship between parents would continue despite their divorce/separation, and an on-going relationship between each other and the children would be maintained with both parents being

encouraged to share in the upbringing of their children. However, what the Act failed to recognise, is the emotional impact that divorce/separation has on the parents, and as such, not all parents are able to make rational decisions regarding the welfare of their children, often resulting in the commencement of legal battles in the family courts by a minority of separating couples.

Although parental responsibility emphasises the responsibility of both parents to have the right to make choices involving the upbringing of a child over issues such as: where the child lives, where the child goes to school, the child's health and religion, even after divorce/separation, the law implicates that those choices can be made independently of one another with one parent being able to make the decisions without the other parent's permission, which itself creates a barrier to participating in the upbringing of the child, a further issue for contestation in the family courts. With the family courts unable to make orders regarding children unless it is in the child's best interest to do so, parents are now encouraged to make their own child arrangements; failure to do so will result in both parents being expected to attend a MIAM and further mediation sessions if suitable, before using the court as a last resort.

In conflicted relationships, parents who are unable to agree on child arrangements are often referred to the services of a CAFCASS officer. Although CAFCASS is to provide advice and support to children and their families, research shows non-resident fathers have found that, due to teething problems CAFCASS encountered when it was first set up, delays in father-child contact impacted on the father-child relationship, with some fathers having to wait up to six months after a relationship breakdown before they could see their children. However, the waiting time have now reduced considerably, as it was found that the length of time a report took to complete was not acceptable. In contrast, private mediation is viewed as being more preferable, as it takes mediation out of the judicial arena, with the view that parents may feel less pressured to reach an agreement, but, this is not always the case. When my fieldwork was carried out, mediation was not mandatory and therefore, any agreements reached at mediation could be breached with no legal repercussions. However, to date, mediation is the default position when couples separate and any formal legally binding agreements that the couple make will encounter legal repercussions if breached.

With an increase of lone parents in the 1990s claiming state benefit for their children, the government set up the Child Support Agency to track down ‘absent’ fathers and made non-resident fathers in general, financially responsible for their children, thus, reducing the burden of financial responsibility on the state. Two of the CSA’s main problems were that it failed to acknowledge that not all fathers avoided their responsibility, and that its formula for calculating maintenance payments failed to take into account fathers’ other expenses connected with visiting children and having children visiting them. Hence, the CSA promoted the notion of fathers as breadwinners and mothers as carers, thus reinforcing a highly gendered division of labour, with limited recognition being made to a father’s caring obligations.

The CSA is a system that has been continuously revolutionised since its launch in 1993. There have been substantial changes in its process of child maintenance, with a wholly revised remit in administration affecting advisors, payers and recipients alike. As part of major reforms to the system an independent corporate body namely C-MEC took over responsibility in 2008 before being abolished in 2012 and responsibility being given to the CMS. Child maintenance can be viewed as a contentious issue for some non-resident parents who believe that maintenance should be calculated in accordance with the amount of child contact; but, for the majority of parents, they recognise that maintenance payments are a financial necessity for their children to flourish.

It is evident from the above that non-resident fathers encounter many obstacles post-divorce/separation. They have to renegotiate their fathering role, engage with the legal arena and government agencies where minimal, or no attention is paid to their emotional needs, and all whilst parenting on a part-time basis, or in some cases, not at all. With so many complicated, emotional, financial and legal issues being experienced post-divorce/separation, and with a limited amount of help being offered to non-resident fathers, some men felt the need to turn to the support group Families Need Fathers for advice, guidance and support. With this in mind, the following chapter will address the importance of the group to its members and the ways in which it helped them to redefine their fathering roles whilst experiencing conflicted relationships.

Chapter Three

Group Participation: Support, Advice and Education

This chapter builds upon the literature explained in the previous two chapters by investigating the motivational factors that spurred fathers' to become members of the support group Families Need Fathers, from a sociological and psychological perspective. It will explain why fathers turned to FNF for support during their divorce process, the type of support they received from the group and the group's aim of promoting members' well-being in order to establish positive parenting. All fathers' were in a stable relationship prior to their divorce/separation and the thought of now having to renegotiate their fathering roles, and interact with court and welfare agencies, became daunting. They felt that they had nowhere to turn to for advice and support, hence their involvement with Families Need Fathers. The two key questions in this chapter that the literature will focus on are:

What motivates individuals to attend support groups?

What do groups offer their members?

With a rise in divorce rates in the 1970s and a changing economic climate in the 1980s and 1990s which saw an increase in female participation in the workforce and an increase in male unemployment, the cultural expectations of fathers as providers and mothers as carers left men "unprepared for their new role of fathers as parents and carers" (Ruxton, 2002:81). A number of parenting initiatives and self-help and support groups were established during that time which mostly focused on 'engaging fathers' in the familial realm. According to Featherstone, it offered men "a voice as fathers" (2004:143). Fathers' groups have grown considerably in the past few decades and range from support groups for fathers who are experiencing child contact issues (Families Need Fathers, 1974); a support group in Ireland for men who are experiencing life crisis's (Men's Action Network, 1994) to self-help/support for single dads in Scotland whose previous life experiences have compromised their ability to parent (Dads Care, 2015), to name but a few.

The chapter will begin by discussing the relationship between the individual and the group particularly support groups and why they became prominent. It has been suggested that gender is a factor which hindered male participation in support groups, although research in this area is very sparse. However, irrespective of gender, motivational issues such as support, advice and education were common incentives for both male and females in joining such groups. The latter part of this chapter focuses on fathers' groups and discusses their origins, their purpose and their typologies. It will also consider why some fathers' groups find it necessary to participate in activist activities in order to resolve a personal or social problem, or to bring about social change and influence public policy, whilst others do so by becoming registered charities and as a result, become a large driving force both politically and economically.

The description and nature of support groups

We need to begin by asking what the relationship is between the individual and the group. In a classic study, Foulkes (1964) suggests the possibility of a peaceful co-existence between the individual and the group, whereas Stacey (2003) suggests that there is always conflict and partial conflict resolution within groups. "People are both constraining and enabling each other...Power is an inevitable aspect of human communicative interaction" (Stacey, 2003:325). Human relationships are often complex, and initially after relationship breakdown individuals may feel that they are 'better off on their own', but interaction with others may, in fact, act as a healing factor for the individual concerned, which promotes Foulkes's radical idea that "individuals grow from groups; groups do not grow from individuals" (1948:30). It can therefore be assumed, that the human group is a social structure which underpins both the individual and society.

The second half of the twentieth century according to Grant (2000) could be regarded as the era of pressure groups in British politics. The first priority of any group is to capture the interest of new members in the hope that the individuals attend meetings regularly. Before joining a group, however, members must consider what they want to achieve from the group such as, solving a problem, or meeting like-minded people, and assess whether or not the group offers the support needed and how they see themselves contributing to the group. This supports Jordan and Maloney's notion that "interest groups excel at capturing the *intensity of interest* of

a fragmented public” (2007:7). Depending on the nature of the group, the type of help and support groups offer their members varies considerably. When trust, consistency and emotional issues are attained and members begin to build relationships with others in the group, it is at this point according to Brown, that “group culture emerges” (1994:106). The above literature have very briefly discussed the history of support groups founded in the UK, their reasons for ‘setting-up’ and what they offer their members, but the main aim of this chapter is to focus on what the support group Families Need Fathers do for its members.

Since the 1970s, there has been a marked proliferation in the various kinds of self-help and support groups in Western countries (Katz *et al.*, 1992). Although these groups have generated considerable research interest in the past few decades (Katz, 1981; Kurtz, 1997; Powell, 1990), there is still a lack of research in the field of men’s self-help/support groups and self-help and support groups in general.

It is necessary to define what a support group is and this will be carried out by adopting Kurtz’s comprehensive working definition of *support* groups.

Support groups meet for the purpose of giving emotional support and information to persons with a common problem. They are often facilitated by professionals and linked to a social agency or a larger, formal organization. Behavioural and social changes are subordinate to the goals of the emotional support and education. Meetings are relatively unstructured, and the group’s program is unlikely to espouse an ideology. Support groups usually don’t charge fees or collection dues (1997:4-5).

Support groups are usually voluntary groups whose members meet to exchange social support in order to deal with, or solve, a common problem or condition (Goodman and Jacobs, 1994). Although differences do exist among support groups, most are self-governing with members determining the group’s procedures. Goodman and Jacobs (1994) stipulate that the number of self-help groups is proliferating because members believe their needs are not being met by existing educational, societal or health agencies. According to Johnson and Johnson “self-help groups exist for almost every major stress related, psychological, and medical problem. If you have an addiction to alcohol, other drugs, sex, shopping, or any other activity, support groups are available...If you have cancer, heart problems, diabetes, or any other major medical condition, support groups exist. If you are dying, support groups are available” (2009:508). In

other words, groups have an advantage over solitary contemplation by providing a safe environment for the solution of personal and interpersonal problems. With the increase in the number of self-help and support groups in the past decade (Gray and Fritch, 2001), two particular questions spring to mind. What motivates individuals to attend support groups? What do groups offer their members?

Seymour-Smith (2008) suggests that despite a general increase in attendance at these two types of groups, there is reluctance by certain members of society to attend self-help/support groups. Bui *et al.*, (2002), indicate that barriers to participation include gender, ethnicity and socio-economic factors. It has been observed that men, in particular, participate in support groups to a lesser extent than women (Thiel de Bocanegra, 1992). It must be said, however, that little empirical evidence is offered by researchers to support the claim that gender difference is a possible deterrent factor in support group attendance. In contrast, when gender role conflicts arise, they often result in attitude and behavioural problems, including the refusal to receive help from others (Galdas *et al.*, 2005). Theoretical suggestions have included the proposal that women prefer to focus on needs, rather than on the more rational, action-orientated activities said to appeal more to men (Gray *et al.*, 1997). A further line of investigation suggests that more women than men are likely to attend such groups. This derives from the supposition that women tend to value talking through personal experiences, whereas “men’s reluctance to attend support groups is linked to issues of masculinity, although there has been very little analysis of the ways in which men’s support group identities are linked to masculinity” (Gray, Fitch, Fergus, Mykhalovskiy and Church, 2002:786).

Support groups generally have a number of individuals who are in the same position and who aim to overcome a certain problem; these groups are often facilitated by professionals and are linked to a social agency or formal organisation (Boyce *et al.*, 2014). Further research suggests that men use computer-mediated support more than face-to-face support groups (Salem, Bogart and Reid, 1997) and a possible reason for this could be that support via the computer offers men anonymity and the freedom to discuss sensitive issues (Spinney, 1995). Families Need Fathers also offer online support to its members as well as the general public. Their Online Forum is a membership service which allows FNF members to communicate with each other as

a group through the FNF website. It works by allowing members to send messages, which other members are then able to read and reply to. The unique strength of the Forum is that it is available 24 hours a day all year round and can be accessed from all over the world. They also have Chat areas where you can voice your opinions, discuss the latest news and meet other members of Families Need Fathers (FNF, 2014).

Barak *et al.*, (2008) suggest that online support groups have been used for the past fifteen years. However, conflicting research findings have been presented regarding the ideas and effectiveness in helping people cope with their respective problems. It has been documented that several factors affect participants in online support groups, and these factors are instigated and expedited by the online anonymity and freedom effect. According to Barak *et al.*, (2008) these factors include expressions of emotions, the gathering of information which leads to an improved understanding and knowledge, the development of social relationships and enhancing decision-making skills, which, in effect, all act as possible generators of a sense of personal empowerment for individuals with personal problems. This view may explain why empirical research has found very few specific outcomes from participating in online support groups. However, much support has been found for non-specific personal impacts via this intervention. Barak *et al.*, state that on-line support groups are designed to foster “well-being, a sense of control, self-confidence, feelings of non-independence, social interactions, and improved feelings...all non-specific but highly important psychological factors” (2008:1867). Participating in online support groups could enhance personal empowerment, but this type of participation could also have negative effects such as, developing dependence and lack of face-to-face personal contact. What the internet does offer, however, is an engagement in cyberspace regardless of gender. Irrespective of gender, what motivates individuals to attend support groups?

From the above studies it can be determined that the prevalent motivational incentives for joining a support group can be arranged into three main categories: support (whether it be emotional or practical); advice (in the form of personal, general or legal); and education. If these three categories are motivational incentives for individuals to join a support group, then we must look at what groups offer their members in order to ensure the group’s survival. The survival of a group depends on its planning and preparation as well as the interaction of each

individual member. The individual's role within a group and their behaviour are essential components for the function of the group as-a-whole. Some groups offer individuals a role that will benefit them and also enable them to contribute in a way that suits their "personal resources and needs" (Brown, 1994:123). A composition of a group according to Doel and Sawdon "is usually affected by the access which people have to it, in terms of the knowledge that they have available and their ability to make use of it" (1999:56). In other words, groups are often formed for specific purposes. It is evident that the study of support groups by Barak *et al.* (2008), Seymour-Smith, (2008), and Chan, (2009) all reveal common elements in both their aims and benefits which reinforce Johnson and Johnson's notion that "the greater number of relationships available on the group provides richness and potential for learning, growth, change and healing that are not possible in a dyad or solitary situation" (2009:508). Depending on the nature of the groups, certain characteristics relate to members' satisfaction within it, which in turn contributes to members' sense of subjective well-being.

The 1980s and 1990s saw the revival of group dynamics as a focus of research. According to Johnson and Johnson, "a number of group issues such as, co-operation, conflict resolution, distribution justice, intergroup relations and cross-cultural interaction, became major research foci of social psychology...Clinical psychologists emphasized the client-therapist relationship and the treatment of families as dysfunctional system...In sociology, research focused on the possession and use of power, dominance hierarchies and group structure" (2009:39). It was mentioned previously that there has been a definite increase in the number of self-help and support groups in the past decade, but what needs to be discussed is the development of self-help and support groups and how the groups change over time.

In order for a group to survive, a set of aims, values or actions must be agreed upon by all members. Group activities are another influential factor on group membership. Group stability is not guaranteed (Brown, 1994). An individual will only stay in the group if he/she is benefitting from it in some way or if a personal problem is unresolved. When the problem has been resolved, the individual is faced with the choice of either leaving the group altogether or continuing to attend the group by offering support to other members.

Anyone at any time can start a group, providing the individual's problem or experience is shared by like-minded people. Member recruitment can be carried out by advertising in the media, in local shops, by mailing lists, by lobbying or by word of mouth. In order to attract and maintain members, the organiser needs to firstly, recruit new members, secondly, keep current members motivated and thirdly, enhance member participation (Lattimer, 1994). New members often bring new ideas, experiences, skills and their own network of friends, all of which are important to the group. They can also carry out tasks such as fund-raising, producing newsletters, and networking with outside agencies all of which will make the group more effective. Member attrition, however, is sometimes unavoidable due to work and family commitments, illness, people moving away and difficulty getting to meetings. People can also drop out after a period of activism or if their problem has been resolved (Johnson and Johnson, 2009). Therefore, it is necessary to recruit new members in order to keep the group functioning.

Some support groups apply to the government to become registered charities. According to the Charity Commission, an organisation can only be called a charity if it is set up under the law of England and Wales, and is established only for charitable purposes. As well as being a charitable purpose, the organisation must also demonstrate a public benefit in order to be declared a charity (Charities Direct, 2009). According to Connolly and Hyndman "the charity sector in the UK comprises a vast and growing segment of economic activity. There were over 188,000 charities registered with the Charity Commission of England and Wales at the end of 2001, with an estimated income of £26.7 billion..." (2003:1). The scale and size of charities allows them to be a large driving force both politically and economically and as Lattimer argues, "some of the most effective pressure groups in the country are charities" (1994:25). One such charity namely, Families Need Fathers (FNF) will be discussed more fully in the following literature.

Regardless of whether a group is known as a charity, self-help or support group, the primary factors which motivate individuals to attend such groups are: advice, support and education. People join groups for a number of reasons, but the most salient seems to be because they share a common problem with other people and they seek to achieve social change. The effectiveness of any group depends on what it has to offer its members. Most groups seem to

offer their members a safe environment in which to discuss their problems with others in a similar situation. They offer practical and emotional support which often involves the more experienced members sharing their experiential knowledge and offering a support network outside of the group. Some groups provide their members with information in the form of leaflets, newsletters and verbally.

The aims of every group vary in accordance to its nature, but the group is a place where individuals can voice their opinions either individually or together and challenge together; in the words of Mullender and Ward, “collective action generates power” (1991:25). With this in mind, the notion of collective action will be explained in the following section by focusing on a number of ‘so-called’ fathers’ rights groups, namely, Families Need Fathers (FNF), Fathers 4 Justice (F4J), Fathers Direct, Men United and Mankind. All of these groups offer help and support to fathers by generating awareness of fathers’ issues regarding child contact and on fatherhood in general. But how relevant is the type of support offered by the groups in helping fathers redefine their fathering identity post-divorce/separation?

Practical and emotional support for non-resident fathers

The past three decades have seen an ever-widening impact of modern feminism and, as a result, the emergence of something that, for lack of a better phrase, has been called the ‘men’s movement’. The 1960s came to be associated with the ‘student movement’ and had connections with “a youthful middle-class ‘counter-culture’ – an extension of the pop/hippy/drug scene of previous years” (Tolson, 1977:10). The beginning of the 1970s saw a rise in various self-help/support groups, such as semi-political groups, encounter groups, community activists whose aspects were confronted and criticised by the advent of feminism. According to Tolson (1977), men’s groups emerged as a result of men feeling trapped in their own exclusion, not because they were excluded from women’s activities, but because men had no equivalent ‘liberation’ of their own, and there was no outlook for men to discuss their personal and emotional feelings with other men. In other words, there was “a masculine ‘mask of silence’” (Tolson, 1977:11) which concealed the emptiness of men’s emotional lives.

In the 1960s, and more evidently in the 1970s, the role of women changed significantly both in the family and in the workplace. There was less pressure on women to get married and “a broader cultural shift toward autonomy and personal growth” (Kendall, 2007:227). As a result of new job opportunities in the 1970s, marriage for women in particular became less of an economic necessity. For those that were married, work outside of the home meant that women could be both financially independent and contribute financially to the family household. This undoubtedly led to men’s roles undergoing important changes which afforded them the opportunity to be more active in their children’s lives, reduced the pressure on them to be sole or primary breadwinners, and gave them the chance to express their emotions. But what happens when these opportunities are denied, or they have to suppress them due to divorce? The 1970s saw an increase in divorce rates which led to an increase in single-parent families (Allen *et al.*, 2001) and which left a number of fathers unsure of their role.

Harris (1995) states that men join support groups when they are seeking an environment in which they feel they are able to talk to each other about problems they are experiencing. These groups take many different forms such as support for men going through divorce, support for individuals to deal with issues of sexual orientations, racism upon their gender identities, to promote personal growth and for fathers’ rights. Messner (1997) claims that although men’s rights organisations have a broad agenda of change, the issue of ‘fathers’ rights’ has been their most successful rallying point by far. Arendall’s (1992, 1995) research on divorced fathers found that many of the men suffered stress and turmoil due to the divorce, and also felt that the courts discriminated against them in child contact rulings simply because they were male, (the issue of discrimination will be discussed more fully in the latter chapters of this literature). Arendell (1995) also suggests that perceived discrimination by the courts is just one of the many reasons men choose to join men’s rights organisations, as they view them as powerful vehicles through which to focus their anger and sense of injustice. An American men’s rights leader, Richard Doyle, sums up this fathers’ rights anger:

Divorce courts are frequently like slaughter-houses, with about as much compassion and talent. They function as collection agencies for lawyer’s fees, however outrageous, stealing children and extorting money from men in ways blatantly unconstitutional... Men are regarded as mere guests in their own homes, evictable any time at the whims of wives and judges. Men are driven from home and children against their wills; then when unable to stretch paychecks enough to support two households are termed “runaway fathers”. Contrary to all principles of

justice, men are thrown into prison for inability to pay alimony and support, however unreasonable or unfair the “obligation” (1985:166).

However, the above statement is not a reflection of all non-resident fathers’ perceptions of the legal and welfare agencies, as the legal arena and welfare system take into consideration not only the best interest of the child, but also fathers’ interests. Fathers’ rights discourse and campaigning has attempted to alter the laws related to divorce and child contact in favour of gender equality and rights. Various self-help/support groups for fathers, which have been referred to as ‘fathers’ rights’ groups, have been campaigning during the past three decades to bring about social change and influence public policy in relation to family law, and have used a variety of different approaches to raise awareness of their cause. In the UK, four main organisations have emerged; firstly, Families Need Fathers (FNF), who participate in government consultations in an attempt to bring about change in family law. Secondly, Fathers 4 Justice (F4J), who take a direct role in campaigning for the rights of children to sustain contact with both parents post-divorce/separation. Thirdly, Fathers Direct, who are key advisors to the government on social policy and child development. Finally, Men United, who are a self-help group that raise awareness about fatherhood to all men.

There have been a diverse range of groups in the UK that have campaigned for equitable treatment of fathers and their families following parental separation or divorce. These groups range in nature from charities, self-help groups to civil disobedience activists. One such group, Families Need Fathers which was founded in 1974, provided support for newly separated fathers at a time when very little help and support was available for them from the government and other outside agencies. Although some political commentators accused the groups of being sexist, FNF not only campaigned for better treatment for non-resident fathers, but also for non-resident mothers, grandparents and other family members, all of whom suffer discrimination in respect of restrictive, or in some cases, terminated contact with their children/grandchildren; Segal (2007) states that FNF was formed with the claim that children need two parents; Segal also states that “it is referring, of course, to biological parents, not to those more diverse people who may wish to look after and ‘parent’ a child” (2007:43). This may have been the case in the 1970s, but it is certainly different to FNF’s claim to date. In FNF’s Annual Report 2006, under the sub-heading ‘About Us’, FNF state that they are “an equal responsibility organisation that abhors prejudice in all its forms...Many of our supporters, volunteers and those we help are

women – mothers who have lost ‘residence’ and who suffer the same as fathers, grandparents and others excluded from the lives of children at the same time as one parent, sisters and new partners of excluded parents” (FNF, 2008:2). It must also be pointed out at this stage that although this thesis focuses predominately on non-resident fathers, it has to be acknowledged that there is also a proportionate number of non-resident mothers who have issues regarding contact with their children (Keilty, 2005), some of whom belong to FNF’s sister organisation, Mothers Apart From Their Children (MATCH).

Families Need Fathers was founded in May 1974 by Alick Elithorn and Keith Parkin, who were both disillusioned by the decisions of the Family Law Courts with regard to restricted contact and terminated contact respectively, with their children post-divorce. As a result an article was placed in *The Guardian* on 12 June, 1974 expressing their disappointment with the decisions made by the family law professionals and voicing the need for a change in society in respect of equal parental rights (FNF, 1999). The organisation became a registered charity in 1979 and relied heavily on voluntary resources and the donation of its members. In past years it has received funding from a number of Foundations and Trusts, as well as a grant from the Department for Education and Skills (DfES). In April 2007, FNF held meetings in 31 locations across the country, all run by volunteers, where parents, irrespective of gender, were offered help and support after family breakdown, (unfortunately, the exact number of FNF members is not available). FNF’s annual report for 2012-2013 however, stipulated that FNF had approximately 2,000 paid-up members (in addition to members who attend meetings on an ad hoc basis) and held meetings in over 50 UK branches (FNF, 2015b). The two main objectives of FNF are social care work and to change attitudes so that children’s rights are recognised when their parents live apart (Baker, 2008).

FNF have not only changed the way in which it interacts with fathers, but it has also had an impact on other family members and on family and child agencies in general. For over three decades FNF was managed by a voluntary board of trustees and members. But with a capacity building grant which the organisation received from the DfES in April 2006, the organisation has developed a more ‘professional’ management structure with the intent of providing an “improved and more efficient infrastructure provision, a sustainable strategy for growth, and a greater administrative support” (FNF, 2008:2). It must also be pointed out that although FNF

was primarily founded to help non-resident fathers, the charity has now adopted a gender-neutral policy where help and support is available to both sets of parents irrespective of gender, race, age or marital status as well as to grandparents and other family members who experience loss of contact due to marital breakdown.

FNF offers its members advice in the form of newsletters, parenting plans, advocacy, a website with self-help and chat forums, a telephone helpline and social networking. It offers support both on a practical level and emotional level and is unique in offering its members the services of a McKenzie Friend, who accompanies members to family courts mainly for support, and very often in place of a lawyer, whose costs can be very expensive. FNF offers education in the form of workshops and training sessions, and also offers its members contact between group members and government agencies such as the Children and Family Court Advisory and Support Service (CAFCASS) England and CAFCASS Cymru in Wales; the Child Maintenance Service (CMS), circuit judges, and other agencies related to family welfare, so that their members may benefit from social learning to obtain expert advice and advocacy for social change.

Although the above mentioned agencies are invited to meetings for the benefit of members, there is always a tendency that they can lead to disruptive dialogue and, in some cases, hostility, due to the sensitive nature of the group and the individual's personal experiences with such agencies. FNF states that it takes a common-sense approach to bringing about change in the family law system in the UK, and participates in government consultations and working groups. The charity has regular contact with politicians, the judiciary and the media; and was successful in its lobbying in changing the law which extended Parental Responsibility to unmarried fathers who signed the birth certificate, and continues to propel the debate about what action to take when a residential parent refuses to comply with a court order (FNF, 2008).

FNF claims that it has seen an increased number of men seeking help and support over the past few decades. During my fieldwork in 2006, the average number of visitors to their website per month was 16,506. Their internet forum which offered self-help and chat forums, saw 858 members signed up to FNF self-help and 696 people subscribed to the chat forum. FNF

helpline received 6506 calls and the McKenzie magazine, which was sent out six times a year, went to approximately 3000 members and 500 movers and shakers, including organisations concerned with child welfare and family law and policies, judges, politicians and journalists (FNF, 2008); between 2012-2013 the total visits to the website amounted to 240,694 and the Helpline received 7,106 calls (FNF, 2015b).

Not all non-resident fathers choose to join groups such as FNF, who, according to some people, take a common-sense approach to bringing about change in the family law system in the UK. Some fathers may choose to join civil disobedience groups whose tactics demand social change with some sense of urgency. These groups often challenge authorities by refusing to abide by a policy or law, using non-violent action. One such organisation renowned for taking a direct approach to generating awareness of fathers' issues is Fathers 4 Justice (F4J), who have created considerable publicity through carefully planned actions such as throwing purple flour at the Prime Minister in the House of Commons, scaling the balcony at Buckingham Palace in Batman and Robin costumes and invading the pulpit at York Minster during a General Synod service, to name but a few.

Fathers 4 Justice was founded in December 2002 by Matt O'Connor, after a traumatic divorce which resulted in him being denied contact with his two sons and experiencing "first-hand the injustices of the secret family courts as he struggled to see his two boys..." (F4J, 2006:2). F4J attracted considerable media attention as a result of a series of demonstrations involving fathers and their supporters (some of which have been mentioned previously). They have used diverse forms of protests including civil rights marches, physical attacks on government offices, confrontations with senior government officials and protests involving fathers dressed up in superhero costumes scaling bridges and public buildings and structures around the UK, all of which according to Collier, saw "a 'ratcheting up' of the contact debate in the period during which Fathers 4 Justice have been active" (2005:514).

F4J campaigned for what it saw as a more equitable system of family law founded on rights and responsibilities that puts children first. The three strategies that they proposed to reduce conflict for children and their families in contact dispute, were early interventions and

mandatory mediation; a presumption of contact and shared parenting and open justice. F4J believe that these three core principles should be the foundation on which to build a new Bill of Rights for the family (F4J, 2006). In comparison to FNF, Fathers 4 Justice no longer offered personal assistance with individual cases, a membership or a forum (F4J, 2006). Supporters were able to join via their website and individuals who were interested in becoming active members could enrol once again through their website, providing they were already supporters. Fathers, whether they are non-resident, those who are in the process of divorce, as well as other family members could obtain advice and information via the F4J handbook which could be ordered from the Internet at £15 a copy. F4J stated that the handbook is aimed at individuals who wish to navigate the family courts as litigants in person without the aid of a lawyer. It offers advice on aspects such as the use of a McKenzie Friend, parental alienation, dealing with government agencies, child abduction and advocacy.

F4J claimed they were solely a campaign group and were not funded by the government. It is alleged that between June 2008 and May 2011, F4J switched from “direct action to political dialogue” (F4J, 2013) and negotiated with the Conservative party by way of securing a document containing 10 written commitments in an effort to reform family law. It has been suggested that the Prime Minister David Cameron broke those commitments and as a result, F4J resorted to campaigns and protests to highlight issues faced by non-resident parents regarding family law (F4J, 2013). As there is no annual report of any kind published by F4J, there is no way of knowing how many supporters the organisation has, however, in an article on the F4J website entitled *Our Story* it stipulates that Fathers 4 Justice is the world’s largest equal parenting campaign group with over 40,000 registered families in the UK (F4J, 2013), and according to Gardiner (2012) F4J’s position on Equal Parenting has 84% of public support.

There are a number of other fathers’ groups who also focus on fatherhood in general. Fathers Direct was founded in 1999 by men and women with expertise in communications, social policy and child development. It is a leading organisation in the UK that promotes support for the father-child relationship. It recognised the aspiration of fathers to be more involved in their children’s lives, and responds to research that demonstrates the importance of father-child and mother-father relationships to children. Fathers Direct is a leading provider of training information and consultancy services to children and the family sector and is also a key advisor

to the government, and leads international thinking (Fathers Direct, 2005). One of Fathers Direct main aims is to highlight that in modern reality, it is important to demonstrate and communicate the value of active fathering and co-parenting so that children will benefit from the shared parental role of caring (Fatherhood Institute, 2013).

Men United is a grass roots voluntary self-help group which was founded in 1994 when a father who was caring for his six month old baby boy felt isolated in a women's world where support was aimed at child welfare and not at the needs of a single father. By talking to other fathers in a similar position the group snowballed, and help was offered by a male social worker and a male crèche worker. When the group became more established and professional support ceased, the fathers decided to remain an independent self-help voluntary group which maintains support for fathers and raising awareness about fatherhood in general (Men United Fathers Network, 2005).

A very different type of group that offers help and support not only to fathers but men in general, is the charity, Mankind, who provide support to male victims of domestic abuse or domestic violence. As a charity, the Mankind Initiative campaigns for the need of male victims to be recognised, as well as supporting other campaigns such as boy's education, men's health issues, family law and male equality under the law. The Mankind Initiative is committed to ensuring that all victims of abuse receive help regardless of gender, race and sexual orientation. It claims to challenge gender specific policies and works towards removing gender politics from the issue of abuse so that men and women work together and that there are safe houses made available to *all* victims. Not only does the charity offer a helpline service to victims, they also give information and support on aspects such as reporting incidents, police procedures, housing benefits and injunctions, they refer people to refuges and other support services, they organise lectures, workshops and provide information that promotes awareness of social problems caused by domestic abuse within society and campaign for more recognition, services and support for male victims of domestic abuse/violence (Mankind, 2009). It was reported that between January 2012 and June 2014 the number of people who reported being victims of domestic abuse to the police totalled 948,528 and of these 197,574 (20.6%) were men (Mankind Initiative, 2014).

The above literature provides the reader with a synopsis of a small sample of diverse fathers' groups. It is impossible to comment on all fathers' groups as they are too numerous to mention. The diverse nature of the groups reveals some of the problems men encounter throughout their lives, and gives an indication of some of the help and support that is available for them. The above literature also suggests that there is no one fathers' rights perspective, however, a diversity of approaches and political views do exist. It can also be assumed that issues of masculinity do not prevent some men from seeking help and support with familial matters especially when it concerns their responsibilities as parents.

Conclusion

In summary, groups are a central feature of human society and a diverse range of groups can be found in the UK that function as a means of helping individuals achieve personal or social change. The most prominent category of groups focused on in this chapter is support groups with its traits being help, support and education; it is often linked to a larger or more formal organisation (Kurtz, 1997), which is the case with Families Need Fathers (FNF) and as a support group, help its members to exchange social support in order to solve a common problem or condition.

There were certain ways in which the group sought to help its members. These include helping members realise that others in the group are in 'the same boat'. For members of FNF this was achieved through fathers being invited to talk about their cases to other members, and realising that others were experiencing or had experienced similar problems. Practical and emotional support was also beneficial. The main kind of support both groups highlighted was emotional support. This entailed showing concern, showing interest and listening to others. FNF however, offered both practical and emotional support. Practical support involved helping members write letters for court and helping them understand the legal terminology. Emotional support was given through the sharing of experiential knowledge, offering advice and the exchange of personal contact details so that members were available 'outside' of the group. Support groups also provide an environment whereby, through group process, members acquire knowledge and wisdom that help them adopt new coping methods. All in all, if members

gained a sense of satisfaction with the group, this could promote regular attendance at meetings and possibly enhance their subjective well-being.

Barriers to participation in support groups include gender, ethnicity and socio-economic factors, but of the three barriers mentioned, gender seemed to be the main topic of discussion by researchers. As well as face-to-face self-help and support groups, it was suggested that online support, particularly for men, was more appealing, although a lack of empirical research in this area is evident.

Regardless of whether a group is a charity, self-help or support group, the motivational factors for attending such groups were for advice, support and education. The aims of the group vary in accordance to its nature, but the group provides individuals with a place where they can influence public policy and social change through collective action. This is evident in the cases of non-resident fathers who have resorted to joining groups such as Families Need Fathers and Fathers 4 Justice in order to bring about change in family law so that children receive the love and care of both parents who live apart. With this in mind, it is to the methodology chapter that we now turn to justify the research process.

Chapter Four

Methodology

There is a growing awareness in recent research on fatherhood that fathers matter. With the practice of fatherhood undergoing important changes, fathers are now finding themselves having to renegotiate or redefine their fathering roles. This is particularly evident in sociological studies carried out on fatherhood and fathering (Williams, 2008; Collier, 2005; Dermott, 2003; Smart and Neale, 1999; Kruk, 1993; Walker *et al.*, 1997 and Lund, 1987). There is, however, a particular paucity of empirical research on non-resident fathers and fathers' groups both in Britain and, indeed, abroad.

Whilst carrying out the project on which this thesis is based, I recognise that although philosophy and guiding questions are important, the methods and procedures are equally important and cannot be neglected when conducting qualitative research. This view is endorsed by Creswell, who states that “qualitative enquiry represents a legitimate mode of social and human science exploration without apology or comparisons to quantitative research” (2007:11). As methods and their explanation form an integral part of any research, I will identify in this chapter, the aims of the study and the reasons for the chosen methodology, by establishing why this approach was adopted, how the data was collected and analysed, and, finally, discuss the value, ethics and credibility of the research process. This chapter will also adopt a reflexive standpoint when focusing on the problems that I encountered throughout the research process and the lessons learned. I begin with a brief summary of the research methods.

Summary of Research Methods

The research design used in this project is informed by the principles of grounded theory; that is, the systematic discovery of theory from data without any substantive theoretical underpinning. I set out with an open mind, setting aside any preconceived theory that might dictate the outcome of the study. Instead, I used the data from this research to generate theory. The active construction of fatherhood pre- and post-divorce, as well as the significance of

Families Need Fathers in trying to help members redefine their fathering roles, suggested the use of qualitative methods of data collection and analysis. Two qualitative data collection methods were used: semi-structured interviews and observation. Twenty five interviews with non-resident fathers who were members of Families Need Fathers (FNF) were carried out. Interviewees were identified beforehand by both convenience and snowball sampling, a process that will be discussed more fully later in the chapter. Observation with FNF on a monthly basis over a period of three years was also carried out. The analysis of data started out as computer assisted but eventually this was disregarded, and a 'hands-on' approach was adopted. To my knowledge, this project is the only one of its kind at present in South Wales and possibly the UK, although others have sought to do similar work in other countries, including America, (Laakso and Adams, 2006); Australia, (Graycar, 1989) and Canada, (Bertoia and Drakich, 1993). With this in mind, why choose non-resident fathers who are members of Families Need Fathers?

Research Setting – Justifying the research area

Empirical research is lacking in the area of fathers' rights groups and support groups for non-resident fathers, and although previous studies have all discussed the ways in which fatherhood and fathering has changed over the past few decades, virtually no attention has been paid to the area of fathers' rights groups or support groups and the views of non-resident fathers attending these groups. Little is known about the reasons why some fathers are driven to attend these groups, whether these groups offer beneficial support to fathers or the contribution these groups make in helping to reform the present divorce laws so that fathers can continue to have a meaningful relationship with their children post-divorce/separation. Little is known about whether participation in these groups has any bearing on fathers' roles. Choosing a highly selective group of fathers who are at the extreme end of the law spectrum has its limitations. Due to the nature of their conflicted relationships with their former partners, I was not in a position to ask if I could have the contact details of their ex-partners in order to obtain their side of the story. Also, fathers were divulging often sensitive information and there were times that I thought that my gender may be a barrier to obtaining personal information. In contrast, I was able to gain the trust of the group and therefore obtained a vivid picture, as well as an abundance of information on the effects of non-resident fathers' conflicted relationships; an area where literature on this topic is currently sparse. This research will address the missing

elements of other academic research in this area by focusing exclusively on the views of non-resident fathers who attend Families Need Fathers, and will also identify and integrate the missing elements in the social science literature on divorce, and contribute to an empirically based understanding of divorced fatherhood.

Existing empirical research and their methods

A limited amount of research in this neglected area has been undertaken overseas by Bertoia and Drakich (1993) in Canada; Graycar (1989) in Australia and Laakso and Adams (2004) in the USA. Most of this research covered issues such as child custody, equality rights and disillusionment with the family courts. However, in Britain, research on fathers' rights group, Fathers 4 Justice (F4J), was carried out by Collier (2005) who addressed fatherhood from a legal perspective using a critical literature review approach. Collier suggests that there is a growing politicisation of the relationship between law and fatherhood, and argues that fathers' rights organisations such as F4J do actively seek to reform agenda in divorce law, especially with regard to child contact. Smart and Neale (1999) studied separating parents and found that the parental relationship is important for joint parenting after divorce, but it is not always made easy due to legal terminology and the process itself.

Earlier research carried out by Lund (1987) and Kruk (1993) on post-divorce fathers found that fathering was a challenge and, in particular, that the legal system discouraged fathers from seeking greater involvement in their children's lives. Kruk's findings were based on data generated by a combined fixed-choice and open-ended questionnaire administered in the context of a personal interview with eighty non-custodial divorced fathers from Canada (Toronto) and Great Britain (Edinburgh). However, in a study carried out by Walker *et al.* (1997) of post-divorce fathering, it was found that fathers described divorce as a series of transitions in which they had to negotiate their parental roles and responsibilities. These particular data were sought using a life history approach. With the exception of Collier (2005), all of the above research has centred on post-divorce fathers in general. Hence, this research aims to focus on non-resident fathers, all of whom are members of Families Need Fathers.

Philosophical concerns

It can be assumed that every methodology develops from practice and although to a certain extent it does, it is also considerably influenced by worldviews, beliefs and attitudes about the world in which we live (Corbin and Strauss, 2008), as well as the complexities of knowledge and of knowing. According to Strauss:

We are confronting a universe marked by tremendous fluidity; it won't and can't stand still. It is a universe where fragmentation, splintering and disappearance are the mirror images of appearance, emergence and coalescence. This is a universe where nothing is strictly determined. Its phenomena should be partly determinable via naturalistic analysis, including the phenomena of men [and women] participating in the construction of the structures which shape their lives (1993:19).

This epistemological approach incorporates two philosophies: pragmatism and interactionism. The grounded theory approach has its roots in pragmatism, placing greater emphasis on the 'empirical' rather than the 'abstract', especially concerning issues of knowledge and validity. Interactionism, by contrast, emphasises that action and interaction creates knowledge; in other words, "knowledge arises through...acting and interacting of self-reflective beings" (Corbin and Strauss, 2008:2). Therefore, it can be surmised that both action and knowledge merge into each other. I adopt the standpoint that "the challenge is to present the world as it is interpreted by human theory and practice" (Stoker and Marsh, 2002:8), and, at the same time, accept that the findings will be embedded in my interpretation. By adopting a reflexive stance, my interpretation of data will provide a measure of objectivity together with rigour throughout the research process, "seeing truth as growing out of the knower's encounter of the world and his effort to order his experience with it" (Gouldner, 1970:270). With these philosophical considerations, how did the assumptions, paradigms and framework explicitly shape the content of this qualitative project?

Research Strategy

As previously mentioned, this project is guided by the practice of grounded theory. The grounded theory approach is one of the most frequently implemented research strategies sociologists apply when analysing qualitative data. The use of grounded theory in this project provided the means of obtaining data to generate a theory whereby actions, interactions and

processes of participants in the project were all acknowledged and analysed. At the beginning of the investigation my intention was to attend Families Need Fathers (FNF), a support group for non-resident fathers experiencing difficulty in obtaining contact with their children, and study female perpetrated domestic violence, as a number of fathers who attended the group had suffered domestic abuse at the hands of their female partners. However, this was problematic, as not all the fathers attending the group had suffered domestic abuse. During the course of the year in which I attended the group on behalf of a family member who was experiencing divorce and contact issues at that time, it became increasingly apparent that the issues of non-resident fathers, their concerns, their challenges and their motivations for attending FNF was itself a suitable topic for investigation. This had the advantage of exploring fatherhood pre- and post-divorce, enabling me to contribute to the development of social science research in an area which has been neglected in the extant literature. It would also enable me to contribute to a public understanding of the complex condition of post-divorce fathering.

How effective is grounded theory as a research strategy? I had originally gone into the group without any detailed knowledge of post-divorce fatherhood. After my initial year with the group, I decided to maintain a standpoint of trying to ensure that my observation remained as free as possible of any theoretical programme, in order to best make sense of the experiences of these men and the group. Although grounded theory was introduced by Glaser and Strauss in 1967 as a result of what they thought was an inappropriate use of theories used in research for participants under study at that time (Creswell, 2007), their approach was formulated in reaction to “the sociological stance prevalent in the 1960s which insisted that studies should have a firm ‘a priori’ theoretical orientation” (Robson, 2002:191). They collaborated in generating grounded theory which was produced from data collected from the field through interrelating categories of information acquired from individuals. Despite the initial collaboration of Glaser and Strauss, the two sociologists ultimately disagreed about the meaning and procedure of grounded theory (Creswell, 2007).

Glaser criticised Strauss’s approach to grounded theory as too prescribed and structured (Glaser, 1992). Hence, grounded theory has been followed by several more accessible introductions including Glaser (1978), Strauss and Corbin (1998), who expands on grounded

theory from a post-modern perspective, and Charmaz (2006), who has advocated a constructive perspective. I adopted the grounded theory strategy, but acknowledged that contemporary thought has resulted in many different approaches to building theory grounded in data.

There is a general consensus especially amongst sociologists that grounded theory is:

a way of arriving at theory suited to its supposed uses...thus theory in sociology is a strategy for handling data in research providing modes of conceptualization for describing and explaining...be verified in present and future research...be readily operationalized in qualitative studies when these are appropriate (Glaser and Strauss, 1999:3).

Grounded theory is a strategy that has “become a popular choice of methodology among social researchers...engaged in small-scale projects...for the study of human interaction, and by those whose research is exploratory and focused on particular settings” (Denscombe, 2003:109). Its strengths are its ability to look at practical situations in ‘the real world’, analyse humans’ concerns and interactions and expose variables that provide for additional change, in other words, grounded theory “is *what* is, not what should, could or ought to be” (Glaser, 1999:840). There are also a number of problems associated with grounded theory which focus around the suspension of awareness of relevant theories on the part of the researcher until the process of analysis (Bulmer 1979). To say that grounded theory researchers are unaware of relevant theories or concepts prior to their research would be mistaken. However, researchers, including myself, should attempt to keep the research as theory-neutral as possible when undertaking grounded theory as a research strategy.

There are also practical limitations with the grounded theory approach, as with other approaches, especially concerning the time taken to transcribe tape recordings of interviews, or in the case of ethnographic research, translating field notes when deadlines are looming. Another problem with grounded theory is its inconsistent use of key terms for researchers who are trying to understand the overall process. Strauss and Corbin refer to theoretical sampling as “sampling on the basis of emerging *concepts*” (1998:73), whilst Charmaz states that it is used to “develop our emerging *categories*” (2000:519). Bryman, however, suggests that “grounded theory probably represents the most influential strategy for conducting qualitative data analysis...many of its core processes, such as coding, memos, and the very idea of allowing

theoretical ideas to emerge out of one's data, have been highly influential" (2001:397). Having discussed research strategy, it is to the ethical issues that this chapter now turns, as ethics is a fundamental issue of all good research.

Ethical Issues

In any research project, there are clearly potential ethical issues that may arise for both respondents and the researcher, and my project is no exception. Issues considered include: ambiguities about confidentiality; security of sometime-sensitive research information; conflict of interests fuelled by personal, economic, political, cultural or professional bias, and obvious need for discretion on the part of the researcher. Spicker (2007), for example, stresses that the right to privacy is extensive and that research subjects have the right to be informed about research, to consent, or to withdraw from it if they are not content.

The British Sociological Association (BSA) also set out a number of ethical considerations which researchers need to be aware of before commencing any research project. These considerations concern the researcher and those being studied. The BSA guidelines state:

Members have a responsibility both to safeguard the proper interests of those involved in or affected by their work, and to report their findings accurately and truthfully. They need to consider the effects of their involvement and the consequences of their work or its misuse for those they study and other interested parties (2002).

This particular information was foremost in my mind throughout the research project, as the information freely given to me by the interviewees and the information conveyed whilst I undertook participant observation was often of a sensitive nature as some of the non-resident fathers were victims of domestic abuse, perpetrated by their female partners. I stressed to all interviewees that it was their right to withdraw from, or stop the interview at any time. Only on one occasion was I asked to stop the tape, approximately ten minutes into the interview, as the interviewee became quite emotional when asked "what circumstances led to your separation?" The interviewee started to answer the question but became distressed when he tried to relay the

events of the domestic abuse he suffered at the hands of his female partner. I immediately stopped the tape and asked the interviewee if he wished to terminate the interview, or if he wanted me to bypass that question and proceed to the next one. The interviewee said he needed time to compose himself before continuing with the interview, as the question prompted him to talk about the abuse for the first time since it occurred. After approximately fifteen minutes of general conversation over a cup of tea, the interviewee asked me to turn the tape back on and ask the same question again as he was in a better frame of mind to answer it.

Prior to carrying out the interviews a letter explaining the nature of my research was given to each interviewee stating quite clearly that ethical considerations were paramount, which included the anonymity of each individual who participated in the project, as well as the assurance of confidentiality. A letter of consent was also issued to each interviewee prior to their interview which they were asked to read, complete and sign. The consent form was a modified version of that issued by the Economic Social Data Service (see Appendix 1). One of the questions on the consent form asked for the interviewee's consent for the interview to be tape-recorded. The tape-recorder was visible at all times.

All but one interviewee agreed to have their conversation taped. The one interviewee that refused still agreed to be interviewed and allowed me to write down his answers, which proved to be very time consuming. He was the one person I initially thought would consent to a taped interview without hesitation, as he volunteered to be interviewed during my observation stage and long before I decided to carry out interviewing. During the interview I was aware that the interviewee was very hesitant and thought about the questions for quite a while before answering them. It was at this point that I asked him if he wanted to proceed with the interview, as I felt he was uncomfortable with the situation. Eventually, he voiced his concerns and made it known to me that he was sceptical over issues of confidentiality and anonymity, as his particular case involved false allegations of domestic abuse and had proceeded through the courts for so many years without him being granted contact with his children that he had taken his case to the European Parliament. I assured him his anonymity would be protected and asked him if he would like to view my notes as I was writing them. This seemed to satisfy the interviewee and he began to relax more as the interview proceeded.

The anonymity of each individual was protected by giving them a pseudonym to be used in written materials. If place names were voiced on tape these were also anonymised in the text so as to protect the interviewee. To ensure the content of the interviews were correct, a transcribed copy of each individual's interview was given to them for approval. This allowed the interviewee to comment on the content and to add or delete any information they deemed necessary. Of the twenty five interviews conducted, only two interviewees asked for their data to be amended. One interviewee wanted two words to be deleted, and the other interviewee wanted to add a sentence.

Whilst carrying-out observation I found that due to the nature of the research, new members joined the group on a regular basis. Whenever a new member arrived at the meeting the chairman would introduce me to him and explain my role. During intervals in the meeting I, personally made a point of introducing myself to the new members and explained my role prior to carrying out formal observation and as a social researcher. Throughout the three years of formal observation, only once did my gender cause concern for a particular member. I arrived at the meeting as usual and was two years into the observation, so I was well-known amongst the regular members. A new member arrived at the meeting and his first words to me were, "You're a female, what are you doing at a fathers meeting?" I proceeded to tell him about my initial involvement with FNF and how I attended the meetings originally on behalf of a family member. I then began to explain to him how the idea of a research project developed through attending the group, and that I was now carrying out formal observations. He had a chat to other members about me and finally conveyed that he had doubts about my motives when he first arrived at the meeting, but speaking to the others, he felt more comfortable in my presence as they assured him of my commitment to the group and highlighted the rapport that had developed over time.

Ethical issues also need to reflect the personal safety of the researcher. This is an area which can often be neglected by many researchers, but one which must be considered especially by those whose studies involve participant observation in potentially risky situations. Referring to personal safety, the BSA guidelines state:

Social researchers face a range of potential risks to their safety. Safety issues need to be considered in the design and conduct of social research projects and procedures should be adopted to reduce the risk to researchers (2002).

Many of the interviews took place in the homes of non-resident fathers. When arranging interviews I tried to ascertain beforehand if the interviewee lived alone or with a new partner. Rather than turn up at a house alone, I would often ask my husband to accompany me and sit in the car and read until the interview has been completed. On some occasions this was not always possible, so I ensured that he knew the interviewee's address and the time I was expected to leave the interview. Further, I would always phone him before entering the address and when I left the address.

I also feel I need to clarify my role within the group from an ethical perspective, both prior to and during formal observation. During my first year of attending FNF, I would join in conversations, ask questions, highlight any issues that my relative requested and talk about his case in front of other members. I even sought legal advice on his behalf from the resident lawyer who attended FNF to give free advice. I distributed leaflets to doctors' surgeries and public places that highlighted issues concerning divorced fathers. However, when my role changed, a deliberate, physical transition occurred whereby I notified the chairman that I preferred to strategically position myself within the group so that I no longer participated in group discussions or campaigned on FNF's behalf, but rather took a 'back seat' where observation was my primary concern. There were very few challenges to this change of status, as I knew I had to conduct myself in a professional manner in order to produce an honest account of fathers' lived experiences of the divorce process.

I sat at the end of the row of tables instead of in the middle of the group. I refrained from asking questions in front of group members or joining in with group discussions; I did not let my knowledge from the first year of attending the meeting, cloud my judgement. If I had any questions to ask the chairman, I would do so during the interval or at the end of the meetings. Members began to notice the change and questioned me about it. I explained to them that if I was to carry out observation in a professional capacity I would have to do so in a professional

manner, and by distancing myself, but not too much, I was in a better position to record my observations. Once this was explained to the members, they respected my decision. It must be pointed out, however, that this in no way impacted upon the relationship or rapport that I developed with the members. We continued to converse during intervals and at the beginning and end of the meetings. As a matter of courtesy, I also gave the chairman and members of FNF two months' notice prior to the completion of the observation, and thanked them all for their patience, understanding and co-operation. With this in mind, it is to the methods that the chapter turns to illuminate further the research validity and credibility.

Appropriateness of the Methods

Prior to carrying out this research I debated over the most effective methods to use in order to obtain my data. As I was already attending meetings at FNF, South Wales before formal research commenced, observation seemed like one of the most appropriate methods to conduct as I was in an advantageous position of being known at the meetings therefore, gaining access to the group via a gatekeeper did not pose a problem. Prior to and during formal observation, I was privy to members' experiences of their conflicted relationships. When members discussed their experiences, certain key words and phrases were 'cropping up' which I felt needed expanding on, hence, my reason for choosing semi-structured interviews as a second method. Other methods were considered, such as a survey; but due to time factors, cost and my living arrangements at that time (I lived in Turkey), I realised that a survey would be an unrealistic method of gathering my data. Narrative interviewing was also decided against because I had been attending the group meetings for approximately two years before I started my semi-structured interviews, and by that time I had documented each father's divorce/separation experience in my field notes, as fathers' were encouraged to introduce themselves and relay their experience when they first joined FNF as a new member. It was during my observations that I felt key pieces of information needed to be expanded upon, hence, the semi-structured interviews. Therefore, this research makes use of two primary methods, namely interviews and observation. Observation provided me with an opportunity to engage with non-resident fathers and to establish their key perspectives, in other words, the main purpose for their attendance at Families Need Fathers. This, in turn, revealed areas in which I felt the need to probe more deeply, by carrying out semi-structured interviews. Both methods will be discussed in terms of their appropriateness and logic in getting information that addresses the research questions.

Observation

My attendance at Families Need Fathers initially derived mainly from curiosity and was the result of reading a magazine article about a non-resident father who had suffered domestic abuse at the hands of his female partner. I contacted the individual concerned using the helpline number at the end of the article, and was invited to attend the group at their next meeting. At that time, a close family member was in the process of divorce and was unable to attend FNF due to geographical distance. I therefore acted as a 'go-between', relaying any questions and answers between the family member and the group. After a year, my relative's divorce was settled, but I continued attending the group. After attending FNF for over a year, I realised that the case of non-resident fathers presented itself as an interesting topic for further research. I expressed a wish to the chairman to formally study the group as part of a research project; consent was granted in August 2005 and as a result, I adopted the role of formal researcher and dedicated the following three years to observation of FNF members, with meetings being held on a monthly basis. This issue will be discussed more fully later in the chapter.

Observation afforded me the opportunity to generate data through observing and listening to non-resident fathers in 'their own field' and to discover the meaning and interpretations of their own activities. A challenge confronting a researcher undertaking observation "is to maintain a balance between 'insider' and 'outsider' status" (Gray, 2009:400). My main concern was to maintain a professional 'distance', and making clear to the members my professional role. I hoped to achieve this by negotiating a position in which I was, in some way 'at home' and considered as 'one of the group' without becoming completely immersed. I felt I achieved this purely because; I had spent four years attending the meetings which helped in building a rapport with the members and gaining their trust. Whilst observation has the advantage of evaluating people's actions and practices by contextualising their opinions and self-interpretation of their attitudes and behaviours, it also has the disadvantage of observational data being influenced by the values, prejudices, influence, emotions and motivations of the researcher (Gray, 2009). Although to a certain extent I agree with Gray, I do, however, believe that a researcher should take steps to reduce the influence over his/her data. As I have never experienced divorce or child contact issues, I had no prior knowledge of the subject before I carried out the study. In this particular study, my previous training as a mediator helped to

promote impartiality and eliminated bias, and what I observed, I accurately recorded in field notes.

Validity is always an issue when carrying out observation due to the high degree of personal interpretation on the part of the researcher. Hammersley (1992) argues that while validity and reliability are important issues, they are not sufficient. When considering the value of a study, plausibility and credibility must also be taken into account. Creswell (2007) advocates that in qualitative research validity should be assessed on the 'accuracy' of the findings. Creswell states that his framework for thinking about validation is to suggest that "researchers employ accepted strategies to document the 'accuracy' of their studies. These I call 'validation strategies'" (2007:207). Creswell and Miller (2000) focused on eight strategies but recommend that researchers engage in at least two, in order to establish validity, those being: prolonged engagement and persistent observation in the field, as well as triangulation.

I applied the same stance as Creswell (2007) when assessing the validity of my findings, and adopted two of the eight strategies he recommended; prolonged engagement and persistent observation in the field, as well as triangulation. Observation was not carried out over a short period of time, and I did not 'breeze' in and out of the field, or take what Brewer refers to as 'smash and grab' (2000:61) field notes. An extensive period of three years was given to fieldwork and, as such, large amounts of data were collected, so, according to Fetterman "working with people...for long periods of time is what gives...research its validation and vitality" (1998:48). Triangulation was adopted by carrying out semi-structured interviews as well as observation which enabled me to corroborate findings from different sources and present the data to the interviewees for verification. Thus, internal validity was achieved.

Interviews

The purpose of using semi-structured interviews in this project was to furnish information about non-resident fathers based on their individual experiences. I felt that this particular method would appear to be the most appropriate in obtaining the best response from the fathers,

as it allowed them to discuss their problems and concerns and it provided scope for flexibility in exploring other areas the fathers deemed important to them. As Arksey and Knight aptly comment, “interviewing is a powerful way of helping people to make explicit things that have hitherto been implicit – to articulate their tacit perceptions, feelings and understandings” (1999:32).

Considerable thought was given to the method of interviewing prior to the start of the project, as I was well aware of the labour intensive attributes involved in interviewing, such as preparation needed, time allocation, the negotiation of access, travelling arrangements, devising the schedule, transcribing and analysing the data. With all things considered, the flexibility of semi-structured interviews “is vital when a phenomenological approach is being taken where the objective is to explore subjective meanings that respondents ascribe to concepts or events” (Gray, 2009:373).

When conducting interviews one must be aware of whether or not the data gathered is meaningful. In other words, whether interviews elicit a ‘true’ account or are viewed as “situated narratives” (Silverman, 2001:113). I would argue that it is the subjective meanings that people accord to their experiences that the research wishes to determine. However, a more effective discussion lies in the steps taken to increase authenticity. Although validity does not have as much prominence in qualitative research interviewing as in quantitative methods (May, 1997), I attempted to ensure that validity was aided by eliminating as many direct questions as possible, thereby structuring the interview to be as flexible as possible, and also by giving each interviewee a copy of the transcribed interview for them to read and comment on. Apart from the interviews, triangulation of accounts via observation was also conducted in order to provide a more comprehensive understanding of what actually went on.

According to Rubin and Rubin “researchers judge the credibility of qualitative work by its transparency, consistency-coherence and communicability” (1995:85). I felt the credibility of my research was attained, as I transcribed every interview and every set of field notes which

were then transferred onto computer files. I also kept a diary of personal reflection, and quotations used were clearly identified as my own. I compared issues that were raised during observation with issues that were raised during interviewing and ensured I understood what the interviewees were saying by verbally seeking their clarification. The quotations used in the findings to back up points were the exact quotations of the interviewees, hence, my reasons for the credibility of my study.

The discussion so far has highlighted the methodological debate and has argued for the research design and methods in relation to the research aims and the validity of data. Now the chapter will explain how the data collection process worked to instigate further discussion.

Sampling

The selection of interviewees was based on suitability and access. I was interested in interviewing individuals who were non-resident fathers and who were members of the support group Families Need Fathers. All non-resident fathers had a range of the different variables identified to be significant. These variables were not literature based ‘variables’ that informed the sample, rather, they were fieldwork-derived ‘variables’ that emerged from the sample. Some of the key variables include: marital status; the legal system; liaisons with CAFCASS; contact with the Child Support Agency; the divorce process; contact time and the support offered by FNF. The variables were identified because every individual that participated in the study had either experienced, or was affected by the variables mentioned, which had a bearing on the individual’s fathering role. A branch of FNF in South Wales was used to carry out the research due to its geographical location.

This group is not intended to be representative of all FNF groups in Britain, but is meant to provide a snapshot of the dynamics of a FNF meeting, and to access members’ perceptions of their fathering roles pre- and post-divorce/separation. The group was identified through discussion with the chairman. Prospective interviewees were identified initially by convenience sampling, as I approached members at the meetings and asked for their permission

to be interviewed (20 members). However, snowball sampling was also carried out, as not all members attended the meetings every month; some had even moved to a different location but were once members of that particular branch of FNF. These individuals were contacted via telephone (5 members). Thirty individuals were contacted altogether, twenty five of whom replied and were interviewed. Those who did not reply were contacted on a further two occasions, but still no response was received.

Both convenience and snowball sampling were effective in building up a reasonable sized sample for a small scale research project. By employing these techniques, all the interviewees involved in the sample were of relevance to the issues linked to the research. These issues centred on being a non-resident father, having minimal or no contact with their children, and being a member of FNF, South Wales, in other words, an ‘a priori’ framework for selection was adopted.

Due to the nature of my research, I used convenience sampling purely because of its accessibility, as I needed to locate individuals who were all members of FNF, South Wales. Although with convenience sampling it is impossible to generalise the findings (Bryman, 2001), by using this sampling strategy I was able to secure a good response rate, and illuminate key experiences, issues and perspectives. Convenience sampling however, it not without its limitations as according to Denscombe “convenience itself offers nothing by way of justification for inclusion of people or events in the sample (2005:17). However, this method of sampling suited me, as I was already involved with FNF and the individuals were easily accessible. Although it has also been suggested that snowball sampling is unlikely to be representative of the population (Bryman, 2001), when a researcher needs to focus or reflect upon relationships between people, Coleman (1958) advocates that tracing connections through snowball sampling may be a better approach than conventional probability sampling. General observations of non-resident fathers could be misleading due to the small scale of the sample, however, findings in this project provides an in-depth understanding of these samples of fathers.

Profiles of Participants

Each of the participants in this study was given a pseudonym in order to protect their identity.

Gary – Gary, a 44 year old single father had one child. He lived with his partner for two years and had a baby son; when the child was 2 years of age the couple separated, as Gary was a victim of domestic violence. He was unemployed and had difficulty contacting his son, as the mother moved out of the country.

Terry – Terry, a 54 year old divorced father had three children and worked as a secondary school teacher. This was his second marriage and two of his children (ages 21 and 19 years respectively) were from a previous marriage. He cited the reason for the breakdown of the first marriage was due to his ex-partner's mental health problems; hence, he was awarded custody of his two children. When he remarried he had a further child with his wife who also had two children from a previous marriage. That marriage ended after six years due to constant rows over different styles of parenting. After the separation, contact with his daughter was resumed after ten weeks due to Terry obtaining a court order, but the contact diminished and at the time of interview Terry had not seen his daughter for three years.

Jason – Jason, a 46 year old mechanical engineer was divorced with two children (ages 14 years and 11 years respectively). Jason had been married for 13 years before it ended due to his wife committing adultery. Jason had contacted with his son ten months prior to the interview in the CAF/CASS office and had contact with his daughter four months prior to the interview.

Derek – Derek, a 49 year old father with three children, worked for the media in the sound and television department. He remarried. His first child from his first marriage was only one year old when his ex-wife moved back to her parents' home in England with the baby. According to Derek she suffered from severe post-natal depression and that was the reason for the marriage breakup. He remarried and had two further children ages 7 years and 4 years and 6 months. The relationship was quite hostile between Derek and his ex-wife, so he did not have contact with his son for ten years. He then met him at a Contact Centre and when the child saw him he starting screaming and refused to attend the meeting. The child was then taken from the meeting place and no contact was made for a further five years.

Lewis – Lewis, a 38 year old self-employed father had three children (ages 16, 12 and 10 years respectively) and co-habited with his ex-partner. The first child was his step-daughter who he brought up as his own child for 14 years. The couple separated due to his ex-partner's emotion problems as she was abused as a child and never recovered from the ordeal, which placed a great strain on the relationship. For the first three months after the separation Lewis and his partner shared the care of their children on a 50/50 basis. After a further three months his ex-partner told him she was ending the arrangement and made domestic violence allegations against him, resulting in his ex-partner being taken to a Women's Aid refuge where he was unable to trace her whereabouts. He was co-habiting with a new partner.

Malcolm – Malcolm was a 36 year old single dad and a student. He had one child. Before he commenced his studies he suffered bullying in the workplace. His ex-partner also experienced mental health problems and this combination resulted in the couple's separation. At the time of interview, Malcolm was going through the courts to obtain contact with his child.

Stuart – Stuart was a 20 year old single dad who worked as a customer service representative. He had one child. The couple lived with their respective parents so the child was brought to Stuart's home, or Stuart visited his ex-girlfriend's home to see the baby. After a few months the ex-girlfriend met a new partner who moved into her home. This caused problems as Stuart asked his ex-girlfriend for contact but was refused, so this matter is now going through the courts.

Mike – Mike was a 41 year old self-employed carpenter. He was separated from his wife but his divorce has not been finalised. They had 2 children; one child (age 13 years) is from his wife's previous marriage and the other child age 7 is from the present marriage. The marriage ended due to his wife stealing a large amount of money from a previous employer. When the couple separated the wife prevented contact and seven months later, Mike was still waiting for a court order to see his children.

Mark – Mark was a 46 year old who was unemployed. He was formerly a computer programmer as well as a singer. He was divorced and had two children (one 16 year old from his ex-wife's previous relationship and a 12 year old from his current relationship). His wife made false allegations of domestic violence against him, when in fact, he was the victim of domestic violence; as a result, he moved out of the marital home. He had very little contact with his children for ten years and eventually the court awarded him shared residency.

Peter – Peter was a 52 year old divorced father who was employed as a mortgage consultant. He had one child who was 14 years old. His marriage ended when his child was 10 years old. Both Peter and his ex-wife grew apart with added pressure from his ex-wife's family. Peter had not had contact with his child since the divorce despite court orders, and so the whole situation is still being reviewed by the courts.

Gerry – Gerry was a company director who did not wish to reveal his age. He was divorced with two children. The eldest child (5 years of age) was from his ex-wife's previous relationship and the youngest (18 months) was from his current relationship. Gerry was a victim of domestic abuse and therefore, left the marital home. At the time of the interview his ex-wife had made false allegations against him of domestic violence and he does not have any contact with his children.

Matt – Matt was a 45 year old painter and decorator who was divorced with three children (ages 15, 12 and 9 respectively). His marriage ended as his ex-wife was very career minded and also had an affair. At the time of interview, he was going through the courts to gain contact with his children.

Patrick – Patrick was a 48 year old media networker who was divorced with three children (ages 13, 11 and 2 years respectively). His marriage ended when his wife had an affair. He had his children for four nights a fortnight and for 50% of the school holidays.

Alex – Alex was a 48 year old regional estates manager who was divorced with three children (ages 13, 12, and 10 years respectively). The marriage ended due to the relationship drifting apart and reaching the stage where resentment 'kicked in' and emotional bullying was directed at Alex by his ex-wife. At the time of interview (13 months after the separation), Alex was still waiting for contact to be awarded by the courts.

Don – Don was a 47 year old bread wholesaler who had remarried and had two children. The first child (aged 9 years) was his and his ex-wife's; he also had a daughter (aged 8 months) with his current wife. He described his previous marriage as very volatile and the reason for him moving out of the marital home. Don had contact with his son for two days a week.

Shane – Shane was a 36 year old IT engineer who was divorced with one child (aged 2 years and 6 months). The marriage ended when the child was 3 years and 6 months old, resulting in

the mother taking the child away to live. After the split, Shane saw his child for one hour a week at a local café. The child was accompanied by its grandmother. At the time of interview Shane had contact with his son at sporadic times dictated by his ex-wife, and was going through the court process to obtain regular contact.

Colin – Colin was a philosopher who did not wish to reveal his age. He was remarried with three children. His first marriage ended when his wife suffered with mental issues and left the marital home with his child (then aged 12 years). He then met his current wife and had two further children. He has not seen his first child for over 10 years.

Dave – Dave was a 48 year old van driver who was divorced with two children (aged 12 and 10 years respectively). The relationship ended when his wife had an affair. He moved out of the family home and very rarely sees his children. At the time of interview he was going through the court process to obtain contact.

Keith – Keith was a 42 year old welder who was in the process of obtaining a divorce. He had two children (aged 12 and 8 years respectively). His marriage ended when his wife revealed to him that she was having an affair. When they first separated, contact was shared on a 50/50 basis, but his wife wanted to terminate the agreement, so the issue of contact was going through the court process.

Gerald – Gerald was a 35 year old music teacher who was divorced and had two children (aged 8 and 5 years respectively). After six years of marriage Gerald's wife revealed to him that she was having an affair; so he left the marital home. Gerald saw his children every other weekend.

Dennis – Dennis, a 32 year old builder was divorced with two children (ages 6 and 4 years respectively). His ex-wife was a successful career person and Dennis took over the running of the house and the childcare; he did building in his spare time. Due to the long working hours of his ex-wife and the amount of time she spent away with her organisation, the marriage eventually broke down. Dennis moved out of the family home and his ex-wife gave up work to look after the children. Dennis had contact every weekend for six months and then contact stopped, as his ex-wife had moved out of the area without notifying him. His application for contact was going through the courts.

Clive – Clive was a civil servant who was divorced and had two children (aged 7 and 5 years respectively). He moved out of the marital home as he endured domestic abuse from his ex-wife. He had not seen his children for two years despite court orders to the contrary. His case was still going through the courts.

Sam – Sam, a 30 year old sales representative was divorced and had two children (aged 2 years and 6 months respectively). Sam's marriage broke down because he had an affair with another woman. He had not seen his children for three months and his case was going through the courts.

Philip – Philip, a 44 year old journalist was divorced with three children (aged 13, 11 and 9 years respectively). His marriage ended when his wife had an affair with a neighbour. Philip moved out of the marital home and very rarely has contact with his children. According to Philip, when he called round to see the children, his wife told him that they no longer wished to see him. His ex-wife also told him that she was thinking of moving abroad to live with her parents, so he was going through the court process to obtain regular contact.

Ben – Ben was a 31 year old electrician who was going through the divorce process. He had two children (aged 4 and 2 years respectively). His wife had mental issues and he was in the process of going through the courts to obtain contact with his children.

Data Collection

Observation

Bailey (1996) argues that one of the ways to gain entry is through building relationships with gatekeepers. This was certainly true in my situation, and as a result consent for my attendance at the group in a formal capacity was obtained verbally from the chairman. At the start of each meeting the chairman made a point of introducing me to the members, and informed them that I would be observing the group for the evening. Members were asked if they had any objections, but none were ever expressed. Consequently, members were also asked if they objected to field notes being used throughout the research process, and again, no objections were raised. It was also explained to the members that I initially attended the group on behalf of a family member, which I believe helped to confirm my acceptance within the group. Over a period of

time rapport was established between myself and the other members. I made a conscious effort to be honest, friendly and open at all times and I believe that these traits helped in developing trust and building rapport between me and the other members. I always made a point of explaining my role at the meetings to each individual, as well as the aims, methods and anticipated outcome of the research.

During the first year of attending FNF, before formal observation commenced, I realised that there was a paucity of academic literature within sociology regarding non-resident fathers and whether their attendance at a support group helped them to redefine or renegotiate their sense of fatherhood. I also realised that by choosing observation as a research method, it would afford me personal experience and insight into the group as an outsider that I would not normally obtain.

Observation was formally carried out over a period of three years commencing in August 2005. Through my involvement with the group I was able to observe the behaviour of the members, listen to what was said in conversations between others, engage in conversations myself and ask questions. Before entering into any conversation I also made it clear that there was no obligation on their part to disclose any information to me unless they wished to do so. The conversations that transpired were purely voluntary and were not recorded, although I did make notes regarding the topics of conversation and the main points addressed throughout the conversation. I also informed the members that their anonymity was of utmost importance, and that the information they disclosed would not reveal their true identity.

The size of the group varied from month to month with members numbering between ten and twenty six. April had the highest attendance due to the fact that it was the month that FNF held its Annual General Meeting (AGM). Gender was another issue I felt needed addressing. At the start of formal observation, most attendees were male with the exception of myself, the chairman's mother and two other females who accompanied their male counterparts. However, towards the end of the observation process a significant gender balance was evident with

females making up the majority of committee members, and new female partners accompanying the fathers in a supportive role.

Each meeting lasted approximately two to three hours. I took a 'back seat' at most meetings which enabled me to write field notes as the meetings progressed. It has been suggested that preserving the *naturalness of the setting* is the key priority for observation (Denscombe, 2005). Denscombe (2005) also suggest that if a researcher is totally open about his or her purpose, the researcher's presence can serve to disrupt the naturalness of the setting. However, whilst carrying out observation, I personally found that the naturalness of my setting was not disrupted and this could be attributed to two particular factors. Firstly, I made a point of sitting in an unobtrusive position at the meetings where I was still able to view the whole setting, and secondly, by attending the meeting for a year before engaging in research, I felt my presence was taken for granted and had no significant impact on the proceedings. As for taking field notes, most members arrived at the meetings with pen and paper and took notes throughout, therefore, my note taking was not 'out of the ordinary'. My field notes contained a list of potential data sources such as: space, participants, activities, actions, events, time, goals and feelings. According to Bailey, field notes are the "backbone of collecting and analyzing field data" (1996:80), as they are "essential to the success of fieldwork, and compromise everything the fieldworker believes to be of importance" (Gray, 2009:402-403). Field notes were written up in detail when I arrived home.

The advantage of observation is that it allows the researcher to place greater emphasis on depth rather than breadth of data gathered, it can offer holistic explanations of various factors, it portrays the *actor's meanings* as they see them, and the data have the potential to be context sensitive and as a result score highly in terms of validity. The disadvantage of observation, however, is that fieldwork can be very demanding in terms of personal commitment and resources. Some observational settings could pose a danger or a risk to the researcher. The reliability of the data is open to doubt due to the reliance on the researcher's 'self' as the instrument, and also, there are problems of generalising from the research as the research situations using observation are not representative, they tend to be chosen on the basis of availability and convenience.

In order to gain a better understanding of some of the key issues the group were constantly raising such as contact, the family courts, finance and welfare agencies, I decided to supplement further observation by carrying out semi-structured interviews with twenty five non-resident fathers. All in all, observation would add depth (Denscombe, 2005) to my data, and this in turn could be used as a means of comparison and contrast obtained via semi-structured interviews. Observation proved invaluable in helping me to frame my research questions and to test the feasibility of the research methods.

Interviews

Prior to the main set of interviews, an initial pilot study was conducted with five non-resident fathers who were members of FNF, each of whom completed a semi-structured interview. The pilot study afforded the fathers the opportunity to express their views on the experiences of fatherhood pre- and post-divorce/separation. I discovered through this process that some of the questions needed to be revised and two needed to be added. For example, under the section headed 'The Divorce/Separation Process', the question was asked, "Did it change how you thought about yourself as a father?" This question enlisted minimal response such as "yes" or "no", so therefore the question was framed in a different way. A more open-ended approach was then used, "What impact did the divorce/separation process have on your role as a father?" This resulted in a "fuller" answer being given.

Two questions needed to be added in order to understand firstly, what fatherhood meant to the interviewee and secondly, if attendance at FNF had in any way helped the interviewees to regain their sense of fatherhood. Both questions are equally important if the research findings are to enhance public understanding of the complex condition of post-divorce fathering and to inform social and legal policy in such a way as to emphasise fathers' interpersonal as well as financial commitment to their children. The pilot stage was vital for the success of the study, as it allowed me to reframe questions, add further questions and indicated the direction the main study would take.

The interviewing commenced in October 2008 and finished in December 2009. Twenty five interviews were carried out, with each interview ranging from thirty minutes to one hour in length (see Appendix 2 – Interview Schedule). Interviews were carried out in a variety of locations convenient for the interviewees. These locations ranged from homes to cafes to service stations and to the university. For the most part, there was little difficulty in getting the interviewees to talk freely. In fact, on a number of occasions, I had to steer the conversation back to the research question as it was felt that the fathers were in a sense, relieved to be able to voice their experiences to someone who was genuinely interested in their circumstances. Very often the interviewees (see Appendix 3), would express their appreciation that someone had decided to acknowledge the issues facing non-resident fathers.

Interviews were tape-recorded and proved to be very successful, except on one occasion when I was interviewing an interviewee approximately one hundred and fifty miles away at his own home. Prior to all but one interview, the quality of the tape recording was tested. On this one occasion however, I did not test the recording. When transcribing commenced the following day, the interview was completely incoherent from start to finish. I then had to inform the interviewee of the problem and offer my sincere apology. Luckily, the interviewee was very understanding and a new date was confirmed for a second interview. I also found that often, good data came to light after the interview, even though the interviewees were aware that the interview had concluded. In some instances I asked the interviewee if I could take down the main points of what was said, and in other instances, I would either wait until I arrived home before making notes or I stopped in a motorway service station car park to jot down the main points, all according to the time available to me. These important pieces of information were later added to the transcript in a different colour to differentiate between them and the original recorded information.

Prior to the tape-recorded being switched on, I made a conscious effort to put the interviewee at ease by just having an informal conversation on everyday topics such as the weather, work or leisure pursuits. Once the interviewees had relaxed, I then introduced them to the main themes on the interview guide, so that the interviewees had an idea of what issues I wanted them to discuss. On numerous occasions the interviewees would “veer off” the question asked and

tended to give a detailed account of their whole divorce experience. As a result, the answers given would cover subsequent questions which required a mental revision of the guide on my part.

Throughout the interview process I remained as objective as possible and ensured all questions were answered. The depth of understanding required to do qualitative interviewing makes it difficult for the researcher to remain value free or neutral towards the issue raised (Bowman, Bowman and Resch, 1984). I tried to achieve empathy by occasionally nodding in assent, saying “okay” or “mmm” and used body language in a positive fashion. According to Rubin and Rubin “even if a neutral role were possible, it is not desirable, because it does not equip the researcher with enough empathy to elicit personal stories or in-depth descriptions” (1995:13). I tried to maintain a balance between myself and the interviewees which minimised involvement and, as a result, elicited a lot of rich data from the interviewees as well as openness. The questions asked were impartial and were worded in a non-academic way so that the interviewees were able to understand and feel able to voice their answers without feeling empowered by myself.

Some of the questions appeared similar, but related to different issues throughout the fathers’ post-divorce/separation experience. For example, the fathers were asked to comment on their state of mind and from their emotional point of view respectively, throughout different sections of the interview. Very often, the interviewee would say that he had already answered that question, and so he had to be reminded that he was being asked about the personal impact on him in two different circumstances. In order to remedy this situation, I would state at the beginning of each section that the answers should relate to that section only, as similar questions would be asked in other sections.

With regard to the researcher effect, this was overcome by asking non-leading questions, by being courteous and by suitable dress code. Power considerations as previously mentioned were minimised by asking non-technical questions, advising the interviewees prior to the

interview that their views were important and by the use of positive body language. At the end of every interview the interviewees were thanked for their time and cooperation. The decision to end interviewing was necessitated by the degree of saturation in data. Single interviews only, were carried out as field notes from the observation period supplemented the data in the interviews. Interviews were also a supplement to three years of observation, which furnished a more holistic understanding of the group dynamics and relationships between individuals attending FNF. By combining the two research methods I was able to gain a better understanding of post-divorce parenting from the non-resident fathers' perspective.

Data Analysis

Analysis is primarily concerned with the validity and reliability of research findings and according to Strauss “*analysis is synonymous with interpretation of data*” (1987:4). When conducting a qualitative research project, the researcher is often faced with a mountain of data, which then has to be rigorously analysed and as a result, conclusions, generalisations or theory generated. Thus, the data analysis in this project is mainly inductive, and was derived by comparing and identifying the main variables of the research. However, an element of deduction was also applied as I had carried out observation and was therefore able to draw on my experience in the field, which in turn enabled me to think effectively about my data. Although grounded theory is often referred to as “inductive theory”, Glaser (1978) states that induction, deduction and verification are three aspects of inquiry which are absolutely essential when conducting a research project.

Interviews

Data analysis requires coding and categorisation through relevant themes, without losing sight of the overall context. When analysing the interviews, I firstly transcribed each interview in full which increased my familiarity with the interview data. I then chose to aid coding via the computer programme, NVivo, as I had attended a three hour introductory session on its use. After spending some time trying to understand the programme and entering some of my data onto the programme, I realised that my lack of experience in the use of NVivo, would only

hinder the analysis. It was at this point that I decided to analyse the data manually. Although NVivo is a useful system for managing data (Kelle, 2004) and identifying key quotations, it has its drawbacks. I personally found that the context in which the original interviews were performed was being lost, as large chunks of data were being entered into the programme, and this created a distance between myself and the research. This together with my inexperience of the programme, hindered my analysis hence, my decision to manually transcribe the data.

The data were analysed by firstly reading each interview transcript and making notes in the margins. The transcripts were then re-read and data coded into various categories. As key themes and ideas emerged, I created a number of computer files to coincide with the themes and sections of the interviews were then cut and pasted into the files. A memo file was also created in which my personal thoughts and questions were recorded as I read each section of the transcripts. This file was referred to throughout the whole analysis process. The files were read to look for variations, by this I mean similarities and differences. Files which contained codes derived from observation field notes were also referred to, and subsequent codes and themes added as appropriate. The files were then read and re-read. This procedure was repeated many times until an exhaustive analysis was completed and conclusions made.

Observation

After three years of observation, I had accumulated an extensive amount of field notes. In total, I had amassed 44,281 words of field notes, and I was faced with the dilemma of how to analyse the data. I decided to use the grounded theory approach, although according to Burgess “no ‘rules’ can be given about how to record, code, index, analyse and report observations that are made in field settings” (1984:183). However, I realise that effective management of data, reflection, commitment, thought and flexibility are all issues that are essential to data analysis, hence, my decision to use the grounded theory approach.

Each set of field notes was read and additional comments made in the margins. The notes were then re-read and coded accordingly. The first stage of my analysis involved open coding of

the data. I began to assign data from the transcripts into certain categories. These labelled categories contained data that had common elements, data that referred to the same issues, statements about the same emotions, the number of times certain words were used and the use of similar words or phrases in relation to a specific topic. Most of the codes were fairly descriptive, enabling me to identify what I took to be the main themes in the text sections and evolving hypotheses.

I then applied axial coding by looking for a relationship between the codes. The analysis resulted in certain codes being incorporated under broader headings which identified certain codes to be more relevant than others. Selective coding focused on the core codes that emerged from open and axial coding. By constantly comparing and contrasting new codes against existing ones, I was able to develop concepts generated from the data. These findings were then placed manually into individual computer files. When coding was completed, I read through the data once again and constructed categories from statements and events. Certain themes began to emerge, and at this stage I was able to bring together field notes and interview transcripts which linked together the themes and topics. A separate file was also created in which my personal reflection on each set of field notes was recorded, and these were referred to throughout the analysis process.

I am very much aware of the fact that a great deal of my fieldwork provided detailed ethnographic description which involved elements of theory that are revealed in the writing. Although Glaser and Strauss's (1967) approach to data analysis is mainly adopted to generate theory, I felt that ignoring any theoretical underpinning was impossible to do due to the fact that my expert educational and lay knowledge both inform my thinking on the topic. Therefore, like Nancy Macdonald in her study of *'The Graffiti Subculture'*, I "went into this study with a (theoretically) open mind, but not an empty one" (Macdonald, 2001:5).

Reflections

The empirical study of non-resident fathers who are members of FNF is a new and interdisciplinary field. This project is one of the first studies that attempts to discover how fathers attending the self-help/support group FNF construct, and following divorce, redefine their fathering roles where they have, at most, minimal contact with their children, by directly analysing the experiences of fathers. As such, it has no handbook to guide methodological choice.

The research area and its setting pointed to qualitative research, and the methodological use of both observation and semi-structured interviews, as relevant approaches for obtaining data from post-divorce fathers. The methods of observation and semi-structured interviews have the capacity to furnish insight into the research area and its context, by providing multi-causal descriptions and explanations to a diversified area of social life.

During the initial year of attending FNF as a member, I became very familiar with the way in which the group operated and with its aims and objectives. It was during this period that I decided to commence observation as a social researcher, and my research questions were developed. The following three years of formal observation equipped me with a better understanding of the key issues the group were constantly raising. Semi-structured interviews, in addition to the observation provided the flexibility to explore these issues in depth, and as a result of using two primary methods, aid triangulation and increase validity of data. The field notes and interviews were collected in a thorough and reflexive manner, and were explicitly summarised to increase clarity and demonstrate the rigour used. The analysis uses both inductive and deductive logic, thereby increasing validity through systematic analysis, assisted for a brief period by NVivo, before I decided to analyse the data manually. This process continued until exhaustive analysis was completed and the findings, so justified.

In the event of carrying out a further research project, I would start by analysing my data immediately. In this project, I made the mistake of transcribing all twenty five interviews

before I started the analysis. As a result, I was faced with a plethora of data and also found the analysis very time consuming. Secondly, I would carry out follow-up interviews if necessary, as there were issues that arose in this project that I would like to have elaborated on, but unfortunately I did not have the time to carry these out. I would also like to carry out a comparative study with other areas of the UK to discover if fathers attending FNF elsewhere encountered similar or different problems to those in South Wales, and also, to establish what support, if any, other non-resident fathers receive post-divorce/separation. I would also have liked to interview fathers' ex-partners in order to gain their perspective of the divorce/separation process.

That said, this study offers an in-depth and rigorous portrayal of data collection and analysis, and honest descriptions of non-resident fathers' perspectives of their fathering roles, which were impacted upon by divorce, legal and state welfare agencies, and finally, how they were supported by Families Need Fathers throughout their experience of seeking contact. The research strategy enabled me to generate a rich and complex body of data. It used a mixed method approach that generated a substantive body of original data on a topic on which there has previously been a limited body of empirical work. During the research process, I faced a number of methodological challenges around my role as a researcher, studying a potentially sensitive area of fatherhood. Throughout the three years of observation, I was able to maintain a professional 'distance' at the group meetings, by making clear to the members my professional researcher role. Over the years, my openness, friendliness and honesty helped in developing trust and building rapport between me and the other members, which resulted in a collection of rich and detailed data. Each of these factors makes the research findings unique. Having presented an overview of the methodological approach of this study, the thesis will now move on to present the results of the research findings in the following chapters.

Chapter Five

The Implications of Conflicted Relationships on Fatherhood

There is a plethora of literature on fatherhood in fields such as sociology (Ferri and Smith, 1999); social policy (Bradshaw *et al.* 1999) and psychology (Lewis, 2000), that deal with issues such as: identity, the role of fathers and the notion of fatherhood in general. This chapter will adopt a symbolic interactionist methodological approach to assess the ‘lived experiences’ of participants through their own words and narratives, with roles being redefined or reconstructed as fathers’ circumstances change and they face new challenges and obstacles.

In particular, this chapter will focus on the role of fatherhood in conflicted relationships, where fathers have, at most, minimal contact with their children. As mentioned in Chapter One, there has been a good deal of academic research on fatherhood with most of the research focusing on the changing role of fathers over different epochs, but with comparatively little emphasis being placed on fatherhood in conflicted relationships. It will show that non-resident fathers seeking to maintain contact with their children had to redefine their roles, learning to be both a non-resident parent and estranged partner.

What is Fatherhood?

According to Carling *et al.* (2002), the 1980s saw a shift away from mother-centred research across the social sciences to a more father-sensitive research, the first major study of which was carried out by Burghes *et al.* (1997) and included a demographic analysis of fatherhood in Britain. Family life in Britain has changed dramatically over the past few decades, with noticeable changes occurring in the diversity of family types and the changing notion of relationships due to demographic, social and economic changes. The role of fathers, in particular, has been influenced by the growing expectation that fathers should take an active involvement in childcare viewing the construction of fatherhood shifting from breadwinner to nurturer. Fatherhood in the past had been “held together by a framework of laws around marriage, parenthood and the (hetero) sexual family” (Collier and Sheldon, 2008:4), but, due to social changes, it has now become profoundly challenged.

The fathers in this chapter outline their views on fatherhood, with the results displaying a variety of approaches to the role of a father. They will also explain the impact divorce had on their roles and offer explanations as to how their roles were renegotiated. Fathers and fatherhood are topics that have been subject to much consideration both in the media and by policy makers, with the main concerns centred around what fathers do and do not do, and about what and how much they should do and do not do. It must be acknowledged that in contemporary society fathers' roles are not as clearly or socially defined as they once were.

In order to establish what fatherhood means, the participants in this study were asked to express what fatherhood meant to them. Most found it difficult to explain what fatherhood meant to them and thought carefully about their answers before formulating their views. Three fathers, in particular, questioned its meaning.

Derek: So, what is fatherhood? Is it going out and earning a living? Is it going and doing the weekly shop at Tesco and Asda so that mum doesn't have to drag the baby or small child or whatever, around the shops?

Keith: That's a difficult one. I've never really given it a lot of thought. I've just taken it for granted really.

Mike: What fatherhood means to me? I think fatherhood to me means exactly what it says; being a father, being someone you can rely on, someone you can turn to for advice, pretty much everything, that's the description of a father. I think, descriptively speaking, I don't really know what it means to be a father; I can only tell you what I've experienced and that's about as much as it means to me.

Although these men found it difficult to explain what fatherhood meant to them, other fathers in the study offered a diversity of meanings, with no singular model dominating the sample. One father, for example, drew on his own experience of family life as a child being brought up in a nuclear family:

Malcolm: Fatherhood to me means that you're a dad to a child or children, you brought them into this world and you showed them the right and wrong, and you try to give them the best opportunities you possibly can within an ideal situation, of that being a family environment of a nuclear family.

Not all fathers revealed the type of family in which they were brought up, but most emphasised the importance of being a positive role model to their children. Fathers' definition of a positive role model varied, however, and ideal types such as moral guider, provider, disciplinarian,

educator and 'new man' are just some of the concepts fathers used to describe their individualised sense of fatherhood.

Patrick: Well, I guess it's about being a positive role model; it's about tempering discipline with fun and being there and supporting your kids.

Terry: Being a traditional father, and playing a role in their development.

Dave and Alex offered a balanced viewpoint by expressing both 'traditional' and 'non-traditional' roles:

Dave: To me fatherhood is providing a role model for my children, so that they will grow up to be decent people. To give them support and advice when they need it, to provide for them financially, and to give them love as well as discipline.

Alex: What fatherhood means to me? That's a good question. Fatherhood means presenting a male model of how sons should be and a male model to daughters to how an adult should be, perhaps to give nurture to children who need that.

One father described fatherhood as a huge responsibility, and although his description contained many references to traditional values, he also acknowledged that being involved in his children's lives was equally important:

Mark: I think it's a two-sided coin. I think it's a case of having a lot of responsibilities, but also having a lot of pleasure in seeing your children growing up. Playing a full role in that, and um, contributing in as many different ways as possible to their upbringing in terms of setting their moral values, encouraging them with their educational issues, making sure they're well in terms of health and getting treatment for any issues they might need, like teeth and so on. So it's two sides. There's the kind of pleasurable side where you are seeing the results, if you will, of your input to your children's upbringing, but equally, there's the responsibilities that go with it in terms of things like, making sure they're fed, they're clothed, they're housed and so on.

Although some fathers described fatherhood in a traditional way, emphasising the male role model and responsibilities, what is evident from the above explanations of fatherhood is that fathers balanced the traditional notion of disciplinarian with the de-traditional notion of nurturing, reinforcing the idea that fatherhood is subject to change and that a portrayal of the 'new father' is emerging.

When fathers were asked to describe their role as a father prior to their divorce/separation, the term 'involved' was used extensively to enforce the importance of their relationship with their

children, and as a way of expressing their own fulfilling fathering experience. According to Dermott, “‘involved fathering’ tends to refer specifically to men’s (expanding) participation in childcare” (2008:23); the fathers in this study mainly used the term to describe their active participation in activities with their children.

Mike said: Full-on, full-on father, involved in every activity in everyday life, every decision, everything.

The term ‘full-on’ Mike used to describe his involvement was never elaborated on, but after the interview he said that he used it to emphasise that both him, and his ex-partner, made joint decisions about the children’s upbringing and that their relationship was based on equality. Peter expressed how important his family was to him especially his son, as he and his ex-wife were participating in fertility treatment through the NHS for seven years before his ex-wife conceived. So, when he was asked to describe his role as a father, he replied:

Peter: Actively involved, very much so in that, apart from work, I have no outside interest other than the family which was basically my son and my ex-wife you know. Actively involved because he was very much into sport, and I was actively involved in encouraging him in that sport, and ah, went to many activities with him. And he was, you know, practised training every day of the week, so very much involved in his life including the school as well. I was on the PTA. I used to go to the functions, get involved actively with the school as well.

Like Peter, Alex referred to being actively involved, and again, mainly emphasised his involvement through sporting activities:

Alex: I was pretty involved with my children. I used to get involved with them in all sorts of things, lots of sport activities. We used to do the triathlons and run regularly at events around South Wales. We used to do swimming...I taught them to play squash, I used to go jogging with them; I’d take them to running events, used to go cycling with them. I used to play with them as much as I could in the house, watch rugby with them. I had a pretty active role as a dad really.

Keith mentioned playing games with his children, but also stressed his involvement in his children’s education.

Keith: I would say I had a very big part to play in the upbringing of our children. I was the one they brought their homework to. I was the one who played games with them and took them out at the weekends and dealt with any problems at school.

For Mike, Peter, it seemed that the emphasis on involvement in their children’s lives centred on activities. These activities varied in explanation from father to father, but most involved

physical activities such as sport, providing entertainment and playing games with the children. The term 'involved' was also referred to by thirteen other fathers in a childcare capacity. Most fathers shared childcare with their ex-partner's on apparently, equal basis.

Thus, Lewis stated: I've always had a very, very big involvement because I was self-employed...I was able to structure my work around the children...and do everything people do caring for children.

Shane similarly described his involvement in childcare: I fed him, I changed him, I bathed him, I did everything.

Gerald commented that he: fed them, bathed them, changed them...basically everything the mother did.

At no point during any interview, did the interviewees mention their involvement in domestic chores, which reinforces Frank's (1999) argument that mothers still carry out the majority of domestic chores. As other studies have shown, fathers spend more of their time engaged in secondary activities, such as playing games and talking to children (Lewis, 2000).

All the men considered themselves 'positive role models'. Their interpretations of a positive role model was expressed using terms such as nurturing, supporting, financial provider, involved, hands-on, responsible, loving and caring. In their own views, fatherhood, for the interviewees, meant caring for their children to the best of their ability, irrespective of the amount of time attached to each task. The quality of their fathering meant more to these men, enabling them to develop and sustain a strong parent-child relationship. However, for almost all the interviewees, it was articulated that sustaining a strong parent-child relationship proved impossible due to divorce/separation. The impact of divorce/separation on their fathering role was quite significant, and will be explored more fully later in the chapter.

The Breadwinner Ideology

Although fatherhood is slowly moving away from its traditional form, the breadwinner ideology is still evident. 'Breadwinning' is a much debated topic, especially when discussing issues concerning the family and, more especially, fatherhood. New Labour emphasised paid work as being central to its family policies as a way of improving the balance between family and employment commitments by stating that:

Work offers the surest way for families to provide for themselves. But work also takes up time which could otherwise be committed to the family: caring for children, and also for sick, disabled or elderly family members. Many families find it hard to strike the right balance, and many are suffering from intense pressures on their time. It is in all our interests to reconcile better the demands of work and home. (Home Office Ministerial Group on the Family, 1998:24).

Such statements raise questions about how these policies work both within and outside the family, and there is also the notion that they may, in fact, reinforce tradition gender divisions, as according to Wasoff and Dey “the challenge of changing current work/family patterns, and particularly the gender imbalance, will require a vigorous, thorough and comprehensive approach, not only to extending employment opportunities for women, but also to improving the incentives for men to care” (2000:129). Providing financially has been promoted as a sign of good fathering, and almost all of the fathers in this study agree that the provider role plays a major part in their everyday lives, even though they are no longer living in the marital home. Two fathers, in particular, expressed their traditional fathering roles as financial providers, and although they were by no means unique, providing was important to both men for different reasons. For Dennis, providing was an essential role in order for the family to sustain a comfortable standard of living.

Dennis stated that: Prior to my divorce I worked long hours to provide financially for my family and if I’m honest, I believe that was a factor which led to the divorce.

For Gerry, providing for his family was a necessity as his wife was from a different country and was unfamiliar with British employment laws:

Gerry: I have always felt that it was my role as the husband to provide for my family. My ex-wife was born in [another country] and so she’s never worked over here. I was brought up in a very traditional family where my father was the main breadwinner and my mother stayed at home and looked after us children, so I guess that’s always been at the back of my mind. Plus, I worked away a lot, but when I came home at weekends, I did my fair share of helping out with the children. My father never helped my mother, but, when I was growing up mind you, there were a lot of us kids, and I saw how difficult it was for my mother, that’s why I tried to help out as much as I could with my own children when I was at home.

All fathers in this study saw money as an essential factor where dependents were concerned, and even more so post-divorce, an issue which will be addressed more fully in Chapter Seven. Most fathers felt that it was their responsibility to provide for their dependants, however, Clive

stressed that for luxuries such as holidays and Christmas, he was the one who provided the extra finance:

My ex-wife and I both worked and took equal responsibility looking after the children, but for extra money to buy Christmas presents, or to go on holiday, you know, then I was the one who worked the overtime.

Although breadwinning is no longer the main responsibility of fathers, when talking to men in this study it is still seen as an integral part of their fathering role. This is endorsed by Lewis (2000), who proclaims that the status of breadwinner is very much part of fathers' identity and role within the family. Although the fathers interviewed felt that providing financially was an obligation, they viewed work as a support system which enhanced the material well-being of the family.

Sam: I helped my ex-wife as much as I could with the children, but I worked full-time to keep a roof over our heads, put food on the table and for other necessities. My wife chose to stay at home after she had the children, so it was down to me to provide for us all, but I didn't mind that.

Philip: I would have loved to have spent a lot more time doing things as a family, but, um, I had to work and earn money so that we could all live comfortably.

Ben: I think it's very difficult these days to balance work with family life. Employers want you to work all hours, but they forget some people have got families. Personally, I would have liked to have been in a position where I could have spent more time at home with the children, but that wasn't possible, and the children understood that, so the time we did spend together, was quality time. But, ah, at the end of the day, I saw it as my responsibility to provide financial security for the family.

Fathers' accounts of work and family life indicated the importance of earning money for the family's existence, but most expressed their wish to spend more time with their children and become more involved in their care, and as Dermott aptly states, "the subsequent move away from breadwinning and towards nurturing is a key component of late modern fatherhood" (2008:28).

Childcare Involvement

In order to meet childcare demands such as time, care and labour, birth mothers and fathers require finance to support themselves and their dependants making childcare and paid work probably the largest factor influencing family relationships. The question of whether men are doing more in the home is much debated. Seaton (2003) argues that men might say they want to care more for their children and complain about long working hours, in practice though they say one thing and do another. In contrast, recent research on working fathers, indicate that they are doing a third of all childcare, but still struggle with a 'long-hour' culture which prevents them from seeking a more appropriate balance (O'Brien and Shemilt, 2003).

Feminists have often commented on the discourse of male family orientation, which has focused on men's shortcomings in their involvement and presence in the family i.e. the 'absent father', the 'passive father' and the 'professional father'. Discourse often refers to the ideal image of the modern family as a place where men and women negotiate over divisions of labour in contrast to the traditional family model, where men and women are 'ascribed' roles according to presumptions about a natural order. It has been suggested that "the development of an active father role is problematic for men because many of them lack role models, a cause of insecurity and ambivalence for fathers who want to enter into new relationships with their children" (Bjornberg, 1995:27). This statement has been refuted by O'Brien, who claims that "time use studies consistently show that fathers, both resident and non-resident, are spending more time with their children, albeit still at a lower level than mothers" (2005:iii). In a study carried out by Folbre and Bittman, it was found that "mothers contribute disproportionately to the engaged time spent with children, although there has been some redistribution to fathers...the average time a father spends in activities with pre-schoolers has doubled since 1974" (2004:160). Nevertheless, according to Larder *et al.* (2006) mothers have always been seen to provide more primary care than fathers.

The fathers in this study all commented on their involvement with their children, although it must be pointed out that they were not asked to define the type of care they carried out, or the amount of time they spent on caring and nurturing. However, it must be said that most fathers described their involvement in terms of physical care, notably sport and playing, as previously

mentioned in this chapter. This seems to be the ‘norm’, as according to Sayer *et al.*, “fathers selectively invest their time in the more rewarding and enjoyable child care activities while mothers tend to perform the day-to-day childrearing” (2004:12). Nevertheless, the fathers in this study found great pleasure in taking on responsibility for their children and despite most of the men describing their familial role as conforming to the archetypal gendered division of labour, by undertaking paid employment to support the family they were also able to articulate a desire for closeness and intimacy with their children. The fathers’ tendency to draw on notions of ‘provider’ and ‘disciplinarian’ when describing their experiences of fatherhood, however, suggest a discourse of fatherhood that continues to be expressed through gendered divisions.

Although most dominant discourse supports the claims of biological fathers (Smart and Neale, 1999), there is a shortage of studies concerning non-biological fathers, otherwise known as ‘social fathers’. Contemporary society has seen an increase of various forms of social fatherhood, such as step-parent, adoptive parent, foster parent and fatherhood through sperm donation, but men who parent outside biological fatherhood are mainly step-fathers (Marsiglio, 2004). In a study carried out on the different dimensions of parenting by Ferri and Smith (1991), of the 11,407 respondents in their study 361 had become step-parents through their current partners, and although the majority of mothers were caring for their biological children, the most striking finding of their study to emerge was that there was a much higher prevalence of ‘social parenting’ among men, with a considerable proportion having step-children only, or a mixture of both biological and ‘social’ children living with them. This is supported by Babb *et al.* (2006) who state that in Britain in 2005 more than ten per cent of families with dependent children were step-families, the majority of which included a step-father. Six fathers in this study fell into the category of step-fathers prior to their divorce/separation, and all articulated that they treated their step-children no differently to their biological children. As one father commented:

Lewis: I have three children. The oldest is, um, my stepchild. Effectively I’ve been her father since she was about two, when I started the relationship with the child’s mother, and we subsequently had two children of our own, between us...I’ve always had a great involvement going back to when the eldest child was two, when I became, effectively, the dad or father in her life. I would be, I was always very, very involved you know, in caring, taking her out for walks, being you know, being involved by doing everything that ah, with the child and more perhaps than her mother did.

Another father, who also had a step-daughter prior to divorce, spoke of how he treated her no differently from his biological child, but also stressed how the divorce could impact on his step-daughter's view of men:

Mark: Now, in my case the eldest child is actually my step-daughter, is my wife's child from her first marriage, but I always treated her the same as my son who's four years younger, and um, what it meant was that I couldn't be a father to either of them...I haven't seen my step-daughter for ten years...she has no contact whatsoever with her real father, other than the occasional email or letter and um, her mother is exceedingly excluding me from her life as well. So I have a fear that this sixteen year old girl, who's nearly a young woman, who's nearly sixteen years of age is going to have an entirely distorted view of men and their commitment to women, and their commitment to people as fathers and so on, and she hasn't had a positive role model in her life for a long time...as far as I'm concerned, it's a matter of extreme sadness.

It is interesting to note that throughout the six interviews where fathers had step-children, each referred to the children as either 'my children' or 'our children'. None were ever referred to as 'step-children' and no preferential treatment in terms of caring or supporting was ever mentioned in favour of the biological child. It has been suggested that "social parenting adds to the complexity of modern family life and also has important implications for the availability and allocation of parenting resources, in particular, perhaps, material support" (Ferri, 1995:100). Other resources, including involvement and emotional attachment, must also be considered. Ferri (1995) also suggest that the emotional component of parenting is an important issue in the distinction between biological and social parents, especially in households containing both types of relationships. However, despite the six step-fathers in this study demonstrating their ability to provide, support and nurture another man's child as well as their own in an altruistic manner whilst in a stable relationship, it must be noted that due to their own divorce/separation there is a possibility that their own biological children with whom they no longer reside will become step-children themselves if their ex-partner's decide to re-marry or re-partner.

It appeared to be very important to most fathers in this study that they could develop an emotionally close relationship with their children or form a bond with them from an early age. One father whose ex-wife was very ill after childbirth described how the incident forged a bond between him and his child:

Don: From the day that [my son] was born I virtually took charge due to the fact that when he was born she nearly lost her life. She had a big haematoma and she had a lot of blood transfusions, so I was actually staying at the hospital with [both of them], and I was sort of looking after him because she was too ill to look after him, so I bonded with him from day one. I was very hands-on.

Another father described how, through his ex-partner's injury, he became his son's main carer prior to their separation:

Malcolm: My ex-partner suffered an industrial injury in March 2006 which left her with physical and mental disabilities, whereby, she was also, in March this particular year, awarded compensation after giving key evidence of her inability to care for my son, and during the time from the fall and the injury, to the time of separation in January of this year [2008], I was my son's main carer, so I was very much 'hands-on'.

Under a different set of circumstances, only one father during his first marriage did a 'role reversal' with his wife. His wife went out to work and he stayed at home and became the main carer of his two children, and this situation continued post-separation. When asked to describe his role as a father he replied:

Terry: Um, a little bit different to the norm for most dads, because I brought up my first two children for some years on my own. Um, when I separated from my first wife, who left me with the children, um, I done a role reversal in my first marriage, so I was the main carer anyway, and that continued after we'd separated...

Terry suggests that he was more than capable of caring for his two children on his own, which echoes the views of Crompton *et al.* (2003) that the female 'homemaker' and the male 'breadwinner' roles are slowly diminishing. Although Terry's case is slightly unusual, in that he was the sole parent for a number of years, another father described his childcare involvement in gender-neutral terms and emphasised his individual relationship with his children as:

Matt: My role as a father was much easier before the divorce because I was in the family home and the children were used to me being there every day. My role was to do everything I could to help, for example, in the mornings I would be the one to usually get the children their breakfast, dress the youngest for school. Often, I would also prepare lunch, and I would very often bath the children when they were younger. I would take equal responsibility in putting the children to bed. The children themselves would see me as the one to provide entertainment, for example, reading stories, playing games, making things, etc.

The fathers in this study all offered diverse examples for fulfilling their ideas of 'good' fatherhood. The step-fathers also put their children's needs before their own, and referred to the step-children as 'my children' or 'our children'. No distinction was made between their biological child and step-child, and although most fathers conformed to the archetypal gendered division of labour they were also able to articulate a desire for closeness and intimacy with their children.

Fathers were not asked to specify the amount of time they spent caring for their children, as what they considered more important was the quality of their fathering, although a certain period of time was given over to it. Most of the fathers spent some time during the day actively involved in childcare in some form or another. Most childcare was centred around physical activity, although some fathers spent time talking to their children, reading with them and helping them with their schoolwork. Regardless of the type of work undertaken, fathers emphasised that their involvement in childcare helped to promote a strong parent-child relationship in which an emotional bond was established. It must be pointed out that this statement is based solely on the fathers' viewpoint, and if, their ex-partners were asked their opinions regarding father-child involvement, an alternative viewpoint could be offered. The establishment of such a relationship and bond is all well and good whilst in a stable relationship with the mother, but what happens to the father-child relationship in the event of a divorce/separation?

The impact of divorce on the fathering role

The rights and responsibilities of men who are fathers, whether they are biological, 'social', unmarried, cohabiting or separated, is a well-documented topic not only in the field of sociology, but also in the legal arena. The position in which genetic families have become increasingly 'fractured' across households has resulted from broad demographic shifts, with fatherhood in particular, becoming significantly fragmented (Smart and Neale, 1999). In past decades the fathering ideology focused on the father as 'family man' in a heterosexual family. However, this has become profoundly challenged as a result of social changes. One of the most detrimental effects on fathers' perceptions of their relationships with their children is divorce (Shapiro and Lambert, 1999). This is confirmed by Dunn (2004), who states that aspects of the

relationship between separated parents have also been seen as affecting the relationship between father and child.

It is difficult to obtain an accurate number of non-resident fathers living apart from their children, as official information is not regularly available (Matheson and Summerville, 2001). This was one of the drawbacks in this study. The data on non-resident fathers in this study was sought from various government sources, only to reveal that no distinction could be made between a non-resident mother or non-resident father in court records as gender neutral language was introduced which replaced the terms 'mother' and 'father' with 'non-resident parent'. However, according to Hunt and Roberts (2004), it is estimated that there are two million non-resident fathers in the UK, but, that figure could have risen over the past years.

Divorce and separation are seen as the two main avenues for men to become non-resident fathers. The experience of divorce for parents means that both mothers and fathers have to continually renegotiate or redefine their parenting practices, identities and relationship (Smart and Neale, 1999). Parenting styles and standards are also contested issues post-divorce, and could also contribute to divorce:

Terry: Trying to bring together two families and two parents who'd brought up children and trying to establish roles and to bridge differences in styles of parenting and so on, and different, um, I guess different approaches. That was the underlying problem. So it was generally centred that most of the difficulty, difficulties we had during the marriage, which only lasted six years, were generally centred on children, and the problems with children, and parenting of children...another issue, obviously, when you're trying to put children from different backgrounds together, is the issue of whether you're being fair and equal to both sets of children who are not related.

Although this example is by no means applicable to all parenting situations, the difficulty in negotiating these issues whilst in a relationship demonstrates how difficult it could become in post-divorce situations. For non-resident fathers who want to stay involved in their children's lives, it often means having to reconstruct their fathering roles at a time when, at most, there is minimal child contact and when emotions are generally running high.

The fathers in this study referred to a number of factors which impacted on their fathering role: contact, finance, a feeling of guilt, loss of employment, time and an ex-partner's new relationship. Although the issue of contact will be discussed more fully in Chapter Seven, it was one of the factors that a number of fathers mentioned when describing their role post-divorce/separation. Terry indicated that he had not seen his daughter for three years, but prior to that he had brought his children up from a previous marriage, for a number of years as sole carer. When asked what sort of impact divorce had on his fathering role, Terry replied:

Well, it just suddenly stopped. I'd always been very close to my daughter, always done a lot of things with my daughter em, with all the children in fact, and ah, suddenly it all stopped.

Another father who was also primary carer for a period of time pre-separation, didn't have contact with his child for three months post-separation and didn't even know the whereabouts of his child as, unbeknown to him, the mother took the child and left the family home without any explanation.

Malcolm explains: For three months I had no contact. I didn't know if he was alive or dead...I went from being a primary parent, very 'hands-on' father, to being a non-existent father.

Contact also impacted on Alex's role as a father: I think the divorce process had a massive effect on my role as a father, because obviously, I haven't been able to speak to my children or connect with them or interface with them for sixteen months now. It has made me think about the importance of a father's role, and the importance of the emotional nurture and connection that children need with their father, with a father, and yeah, it made me realise how very important that is.

Alex reinforces Dermott's (2008) notion that the conceptualisation of contemporary fatherhood as an 'intimate relationship' is an important part of male parenting, whether fathers are resident, non-resident, biological or 'social'. As discussed previously, for most fathers in this study providing for one's family was deemed part of their fathering role. More importantly, their desire to spend more time with their children outweighed their articulation of merely providing. However, for some non-resident fathers the term 'financial' seemed to bear more significance when they evaluated their fathering role:

Peter: Ah, well, I'm just a financial dad now, so my role as a father has been put to one side, I've been cast aside...It's my opinion all they're concerned about is that I've paid my financial contribution, which I have done. That's something which I consider I've done right you know.

Peter last had contact with his son four years prior to the interview and his reason for justifying himself as a financial dad was expressed later in the interview when he stated that:

If I send him money that's not returned, but if I send presents, they tend to be returned in the post.

Another father who views himself as a 'financial father' was Dave:

As I said, the whole divorce process made me feel as if I'm just a provider and that I couldn't be seen as a loving father. As far as the law is concerned, children don't really need contact with their father as long as they are still with their mother. The divorce process prevented me from being a decent father and built a wall between myself and my children. It's changed how I think of myself as a father who is able to provide love and affection for my children as well as guidance and financial support, and also being a mate as well as a father, to just being a financial provider.

In Dave's opinion, although the government stress that fathers' play an important part in children's lives, the law emphasises their financial responsibility as taking precedence. Another father, Matt, described how, due to his wife's affair, and the animosity that it caused, he felt that for the sake of the children the situation would be eased if he moved out of the family home. Matt was consumed with guilt and said:

It made me feel as though I had done something wrong, but I couldn't see what, as I thought of myself as a good dad and a good husband. It's difficult to hide your emotions from children or anyone.

For a long while the guilt continued, as according to Matt:

The children knew something was going on, but whether they understood or not, I don't know. I doubt it, and as I was the one to leave the family home, they thought I was to blame...it has made me ashamed that the children originally perceived me to be the one at fault, and only now, about three years later, are things getting more normalised, but still not equal with the mother.

Divorce has a detrimental impact on every parent's role and Mark was no exception:

Mark: Well I think the first part of your question is that it had a huge impact in the sense that I ended up losing my full-time job, I ended up losing, or having to resign my commission with the army, and in terms of my role as a father, when my ex-wife stopped me seeing the children, it meant I couldn't exercise my role as a father in any way, shape or form.

For Gerald, time was a factor that impacted on his role:

Gerald: The main impact was in the sense of time I could spend with my children which consequently, physically prevented me from being able to fulfil my idea of what a father should be. As I mentioned earlier, really, it didn't as much change what I thought of myself as a father, I knew, and still know that I could still be a good father, it was more that it actually prevented me doing so, full-time.

For Jason, Shane and Stewart, the thought of another man replacing them and taking over their role was difficult for them to comprehend. The three fathers have limited contact with their children, whilst their ex-partners' new boyfriends are, as they see it, receiving the children's affections. When asked how that impacted upon them, Jason replied,

Basically, it destroyed my role as a father because mum, em, was promoting a new boyfriend to the children, who it seemed like, was stepping into my shoes.

Similarly, Shane commented that:

Ah, I don't feel like I'm a father. I know it's a token. I only see my son because of the court order, not because my ex wants it...I've just found out that my ex is teaching my son to call her new boyfriend daddy, so I'm dispensable.

Unlike Jason and Shane, Stuart is a young father whose relationship with his girlfriend ended before his daughter was born. Although he has limited contact with her, he is frustrated that his ex-girlfriend's new partner is looking after his daughter most of the time whilst he has to settle for limited contact:

Stuart: I feel unfairly treated as there is no reason for me not to have contact with my daughter, and I miss seeing her grow up. What really gets to me is that my ex has a new boyfriend whose come from absolutely nowhere, nobody knows anything at all about him, and he looks after my daughter loads of the time. I'm her paternal father, and I get very little contact time at all.

All the other fathers in the study, with the exception of the three above, all used negative references to describe their roles post-divorce/separation. The terms used include: 'non-existent', 'reduced', 'expired' and 'interrupted'. Three fathers had 50/50 shared residence, and one father (Colin), had sole residency. All four fathers saw their role as an added responsibility.

Colin: Well, if anything, it made me more determined to do the best I could for my son". Lewis and Patrick replied:

Lewis: Well, initially, it was okay as I said, because actually we had, for the first three months of living separately, we had shared care on a fifty-fifty basis which I felt the children were, the children liked...being effectively, self-employed, I was able to work when the children weren't with me, and when they were with me I just cared for them you know, as a father, full-time. And actually, I felt that, that was, on how things had been, that was a big improvement.

Patrick: That's quite difficult really. I guess it just makes you more responsible for everything in a sense you know. When I um, when my ex moved out, it was about a week later that I took the kids on holiday [abroad] on my own for two weeks, and um, slightly, slightly scary I think, just getting used to the fact that there's only one of you.

Patrick, who is in full-time employment, also claimed that prior to the divorce he didn't have to do all the washing, ironing and cooking, whereas now he did. Effectively, then, the fathers had to renegotiate their roles and combine work with childcare, respectively. At the time of divorce and separation, not only do non-resident fathers have to renegotiate their fathering roles, but they also have to contend with the emotional significance that restricted contact entails.

Depicting Emotions

An area of discourse which has tended to be overlooked is that of the importance of emotional states and emotional relationships especially between parents and their children. According to Dermott "emotional closeness is positive because emotional distance in today's society is viewed as negative" (2008:74). Whilst everyday activities are not particularly invested with emotion, Lupton and Barclay argue that "it is clearly the case that familial and other intimate relations, including parenthood, are primary sites for the expression and investment of emotions" (1997:22).

Studies tend to reveal that the open display of emotion is usually associated with women, whereas men tend to conceal their emotions as it is not deemed as part of their masculine image. According to Connell, western males from middle-class backgrounds tend to "suppress emotion and deny vulnerability" (2005:5), but with more men becoming emotionally involved in their children's lives in an attempt to sustain a meaningful father-child relationship, especially at the time of childbirth, Connell's statement is surely open to scrutiny. In contrast, Dermott implies that the 'new man' of the 1980s was "in touch with his feminine side"

(2008:65) due to a development in gender relations, where men took on 'female' work. Despite talk of emotional displays becoming more accepted as part of contemporary masculinity, Seidler acknowledges that many men are likely to remain "trapped in their own rationalism" (2006:65), as their ideas of emotion tend to focus on friendships based on physical activities, rather than communicating feelings. However, when discussing emotions with regard to father-child relationships with fathers in this study, there was little indication in their accounts that 'nurturing' and 'caring' are non-masculine attributes.

All non-resident fathers in this study, particularly those whose involvement and attachment to their children pre-divorce was relatively high, experienced distress at varying levels and for varying lengths of time. Most non-resident fathers appeared to experience a grieving process during divorce/separation, and this process was directly and primarily connected to the actual or threatened loss of their children. Regardless of whether fathers remain in physical contact with their children post-divorce/separation, emotionally, they remain very much part of their children's lives (Hetherington, *et al.*, 1985; Wallerstein and Kelly, 1980). Although non-resident fathers' experienced a number of transitions during divorce, the loss of the pre-divorce father-child relationship was identified as the most pronounced by fathers in this study:

Mike: Devastation, total devastation I'll tell you that now...what I feel hurt, cos I do feel hurt and depressed about, is the fact that she won't let me have any contact whatsoever with either of them. I've been to the solicitors, obviously I've been to the solicitors, but even a phone call just saying "good night" and "I love you very much" nothing like that, she won't allow me to speak to them.

Mike had two children, the eldest of which was his step-son and the youngest his biological son. At the time of the interview, Mike was waiting for a court date in order to establish contact with the children whom he had not seen for four months. Another father, Mark, who also had two children, the eldest being his step-daughter, and the youngest his biological son, went through the family courts for eleven years before he was finally granted a Shared Residency Order for his son. Commenting on the period spent waiting for a Contact Order to be granted, he remarked:

Mark: During the times I wasn't seeing the children, um, I can only best describe it as what I call, "a living, on-going bereavement". If you are unfortunate enough to suffer a bereavement...there's this process and you can eventually, you can kind of have a closure to a certain extent...and [come] out of it the other end...but when you're not seeing a child and you're told you can't see them...and you know

they're alive, it's as though you've had a bereavement and there's no end to it, there's no finality, there's no closure and it's a constant drip, drip, drip effect like Chinese water torture of "where is my child, what are they doing...I wonder what they look like?" I don't think anyone can truly understand what it's like, and I think that for me, was the hardest part, was knowing I had a step-daughter and son somewhere...knowing that these people were you know, intimately known to me and me to them, had just been exercised from my life for no good reason...in this sort of divorce situation, it's surprising how often it is that the other parent completely seeks to eradicate all trace of the other parent from their lives, any reminders whatsoever, so the thought of that going through my mind I found difficult emotionally, to deal with.

Negative emotions can also have a detrimental effect on health, as Peter explained:

Ah well, very difficult period... basically I became very depressed...basically I needed help then, and I went to a hypnotist, assistance with a hypnotist and counselling which helped me get my life back together...emotionally, I'm lucky I didn't go under really.

Although Peter hinted at taking his own life by saying he was lucky he didn't 'go under', during a conversation after the tape-recorder had been turned off he 'opened-up' emotionally and made clear that was what he meant. Shane, however, was able to express his emotional state more bluntly:

Shane: Well I got depression for the first time in my life, I got anti-depressants. I was suicidal briefly, ah, I don't know, if it wasn't for my family I would have given up.

Sam also felt suicidal and commented:

I was on the verge of suicide. I didn't know who to turn to or where to turn, until I read an article about FNF and decided to contact them.

A number of other fathers also remarked how they felt emotionally about their divorce/separation, and how it impacted on them both mentally and physically:

Keith: I have found the whole process very stressful and I am having great difficulty dealing with everything. No-one can begin to guess what it's like unless they've been through it themselves. It drains you both mentally and physically. Not having contact with the children at all have left me totally devastated.

Dave: So, emotionally, I felt drained, and that I was losing the two most dearest things in my life and that no-one seemed to care. I couldn't sleep and I was very lonely and just became an emotional wreck. I had no-one to turn to as both my parents are dead and as far as I'm concerned the law sees me as just a provider and not a loving equal parent.

Lewis similarly added: The whole process causes some people to just lose their mind...it's so emotionally draining to go through this.

Don, likewise, said: The whole process was very traumatic, very traumatic.

Matt explained how it: Basically left me feeling like an emotional wreck, and a failure to my children.

Alex was unsure how he would cope with everything and said it left him feeling: depressed, quite fearful, intimidated, at a loss at times to understand how I could survive this process.

Malcolm commented that: The stress have had an impact on my well-being. I'm aware I've lost weight...I would say I am very anxious.

Philip sought help from the medical profession, and remarked: I was on medication for depression. I lost weight, I lost my job; I was at my lowest point ever.

Dennis realised he needed help and said:

I went through a very stressful period. I didn't want to see anyone; I didn't want to talk to anyone. I'm lucky I didn't lose my job, but I came close to it. I think it was at that point that I knew I had to get help.

The depiction of fathers' accounts of their emotions at the time of non-residency are steeped in negativity as a result of the legal restrictions which reduce their ability to engage as fathers, and which, in turn, impact on their father-child relationship. What is evident from the above accounts, however, is that despite varying levels of fathers' involvement in childcare which was mentioned previously, fathers' emotional investment in their children predominated over all other aspects of their lives, even in situations where fathers had minimal to no contact.

Conclusion

The divorce/separation process has a detrimental affect not only on the parents, but on children and the wider family network. The parents, in particular, have a moral and legal obligation of care and of responsibility for their children. Divorce/separation brings with it a host of transitions for both parents. Some parents may reach amicable decisions post-

divorce/separation, whilst others, like the fathers in this study, find themselves in conflicted relationships which further impacts on the transition process. It is evident from this research that divorce/separation have had a negative impact on fathering roles and emotional well-being, with the most salient issue being that of minimal child contact and, in some cases, no contact at all.

A recurring theme of change related to fatherhood is that of gender convergence between men and women around social experiences pertaining to family life, childcare, intimacy and paid employment (Collier and Sheldon, 2008). Fathers' social identity is fluid and have evolved over time from the dominant patriarchal disciplinarian and moral overseer, to breadwinner, gender role model, and most recently, 'father as carer'. Such accounts of social identity have been re-shaped as a result of gendered divisions within the family. The contribution fathers make to families now goes beyond the role of breadwinner or sole financial provider and they are now viewed more as 'engaged fathers' whose responsibilities focus on the welfare of their children.

For fathers in this study, divorce/separation impacted on their roles in a number of ways. Fathers spoke of ways in which they had to balance new flexible relationships with their children from different households. This meant that they could not fully exercise their fathering role in the limited time that they spent with their children, as they were parenting from a distance and saw themselves as part-time fathers. They had to renegotiate their fathering practice, as well as come to terms with their children being fathered by 'social' fathers due to their ex-partner's re-partnering. The divorce/separation process also impacted on them emotionally, which resulted in some fathers losing their jobs. Fathers no longer referred to themselves as a 'family man', but rather a 'financial dad'.

Non-resident fathers in this study saw divorce and separation as having a detrimental effect on their fathering practice, with a diverse number of factors impacting on their fathering role. All fathers believe that the ethos of fathering is changing from the patriarchal father to the more involved father. However, it must be said that the ideology of the breadwinner and provider is still evident in the fathers' accounts of their ideas on fatherhood, although they see themselves

as being more actively involved in the caring and nurturing of their children than fathers were in past decades. Fathers described both traditional and de-traditional notions of fatherhood when articulating their versions of their roles, demonstrating that no one discourse of fathering is dominant. Rather, fatherhood has become more challenging due to demographic, social and economic changes.

Fathers also mention their involvement in childcare, which mainly centred on activities such as sport, play and education. For the fathers in this study, the amount of time dedicated to each task was not considered relevant to their fathering role. More importantly, was the quality of their fathering which, in their minds, promoted a good father-child relationship. The same can be said for the step-fathers in this study; their parenting quality appeared no different to that of biological fathers. The step-children were accepted and treated no differently to the biological children, and even in post-divorce/separation conditions, the step-fathers referred to the step-children as, 'my children' or 'our children', with the exception being, the step-father was not legally responsible financially for the step-child, post-divorce/separation.

Divorce and separation had a significant impact on fathers' roles. Often they found themselves having to renegotiate or redefine their roles as non-resident parents and estranged partners. Whilst the majority of non-resident fathers do have contact with their children, albeit, daily or limited, there are some fathers who have no contact at all. The men expressed a number of factors which impacted on their fathering role and challenged their father-child relationship. Thus, they found that to maintain a good relationship with their children they had to negotiate through the mother, which, for most fathers, created problems. However, what did emerge from the interviews with non-resident fathers was that despite limited contact with their children, fathers' notions of good fathering did not change. Instead, it was the physical elements of parenting that were reduced, and this made most fathers more determined to maintain an intimate relationship with their children.

Non-resident fathers all agreed that the divorce/separation process had a significant impact on their emotional well-being. The narratives from the semi-structured interviews portrayed some of the personal meanings of these symptoms. Many fathers talked about how they felt

themselves to be 'going under' or didn't know if they were 'dead or alive'. Some related their experience to that of an 'on-going bereavement', whilst others doubted their ability to 'carry on'. Some turned to the medical profession for help with stress and depression, whilst others contemplated suicide. Despite the emotional turmoil these fathers were experiencing, a determination to survive and not to be beaten by the 'system' was gained through the emotional support they received at FNF meetings. The driving force behind all the negativity was the determination to sustain a father-child relationship. The following chapter will look at the influence of legal and state welfare agencies for non-resident fathers, addressing the issues of conflict, mediation, rights and responsibilities.

Chapter Six

Negotiating Contact: Balancing Care and Cash

This empirical chapter focuses on how fathers' experiences of legal and state welfare agencies impacted on their sense of fatherhood at the time this research was carried out; however, far-reaching changes to family law and policy have been implemented in recent years and this will be acknowledged in accordance to the literature presented in Chapter Two. The majority of fathers in this study did not envisage when they became parents, having to renegotiate their fathering role in later years as a consequence of divorce/separation parenthood. Often, after the breakdown of a relationship, parenting practice (especially for fathers), alters considerably. Divorce/separation can be a traumatic experience for both parents and is very rarely problem free, especially when both parents are unable to agree on arrangements over children.

Post-divorce parenting "captures in particular, the contradictions between being separate and yet being connected" (Smart and Neale, 1999:67). When separated parents in conflicted relationships cannot agree over care issues regarding their children, in most cases, mothers become the primary carer and fathers have to adhere to a contact schedule, which means that some men have to renegotiate their fathering roles and at the same time, they have to facilitate their contact arrangements with their former partners in order to sustain a relationship with their children. Sustaining contact for most fathers in this study meant numerous appearances in the family courts, being encouraged to use mediation services, having a CAFCASS officer assigned to their case, and providing financially for their children either through what was formerly, the Child Support Agency, or by mutual agreement with their ex-partners. This chapter, therefore, will explore the difficulties that non-resident fathers' faced when their fathering roles were reduced and father-child contact was minimal, and in some cases, non-existent.

Parental rights and responsibilities in relation to non-resident fathers

Historically, fathers have been legally ‘attached’ to a child through the institution of marriage, based on the presumption of legitimacy. As mentioned in Chapter Two, married fathers were once invested with sole rights of custody and control over their legitimate children. The mother, in contrast, was “entitled to no power, but only to reverence and respect” (Blackstone, 1765:453). However, “it was not until the 1970s that the formal rights of mothers and fathers were finally equalised in law” (Collier, 1995:10). The Children Act (1989) saw a shift in decisions regarding children and their care post-separation, away from the courts and back to the parents, which required parents to negotiate an agreement themselves especially in relation to contact, residence and financial arrangements rather than relying on the direction of a judge. Not all parents, however, are able to enter into negotiations post-separation as emotions are often running high for both mother and father. It was at this point that fathers in this study felt they needed legal representation as, at that time; there was very little information available to fathers regarding contact issues post-separation.

Almost all of the fathers in this study had experienced the service of a solicitor, and the majority were not happy with the service they received. In fact, a quarter of the fathers became a litigant in person representing themselves, or was accompanied in court by a McKenzie Friend (which will be discussed more fully in the following chapter). Fathers expressed their dissatisfaction with their solicitors in a variety of ways, including solicitors not acting on fathers’ instructions, fathers receiving incorrect or misleading information, excessive fees and solicitors perceived to be conveying mothers’ needs and wants rather than fathers’. A number of fathers felt their solicitors ignored their requests and were not acting in their best interest:

Jason: My views, yes, were taken into account by my solicitor, but they don’t act out what you want...it seems like solicitors have a protocol. Em, it seems like they can’t upset judges, if you can only afford a solicitor. If you have a barrister, a barrister can, and do upset judges because they tell the judges what the law is, where a solicitors is afraid to say that to a judge, because the solicitor sees the judge more often or not every other day.

Lewis: I had bad legal advice um, and I ended up as litigant in person through what I consider was no fault of my own, and the solicitor was basically refusing to take my instructions, which he shouldn’t have done, and was um, communicating with the solicitors on the other side without my knowledge, and as I said, it was just ah, very difficult to get anybody to listen to what I was saying, and to take into account any of the issues which I was raising.

Both fathers were frustrated and felt that their views and wishes were falling on ‘deaf ears’, as did the majority of fathers attending the group. Lewis was so frustrated throughout the whole divorce procedure, which lasted just over four years; he had four different solicitors representing him at various times as he felt his views were not being acknowledged. Alex and Colin also felt the same way:

Alex: I think the solicitor listened to me and often used to completely blank, and put a red light up to any suggestions I’d make, and seemed quite content on pushing it his own way, and never used to get satisfactory reasons why he was going down that path, apart from a kind of defensive approach that you know, if you did that you’d be causing problems for yourself you know. It was all based on fear and doing virtually nothing to upset the other side um, it all seemed to feather his pocket.

Colin: Well, I had a solicitor initially but there were problems there. She wasn’t doing what I asked, in fact, she was going completely opposite to what I asked and ah, so I decided that I would do without her, and do the case myself.

Although these men, representing the majority of fathers in this study, felt their views and wishes were being disregarded by their solicitors, there is the possibility that not all the fathers were adequately knowledgeable about how different elements of the legal system actually operated, and therefore, assumed their solicitors were incompetent. Another issue that was raised during the interviews was fathers’ critical views of solicitors’ fees and their perceptions of how solicitors represented clients purely for financial gain. When Mark was asked if he was happy with how his solicitor handled his case, he replied:

Mark: Initially yes, but the more I learned when I was going through this process um, the more I discovered for myself, the more I found in fact, actually, the more inept my solicitor actually was. They were charging me through the nose for virtually, you know, every second they could bill me on the phone, every letter they could write. I was being billed for everything, and I found it particularly galling when I went to see the solicitor first of all, and I asked them for estimates of what it would cost me to get a divorce, and the figures I was given was, “if it’s a quickie divorce and there’s no difficulties, it will be £800, if it gets nasty and there are difficulties, it will be £2000”. £36,000 later, I sacked my solicitor.

Gerald and Dave also expressed their displeasure when it came to matters of finance:

Gerald: My solicitor just seemed to be concerned with being paid and hiding behind the whole procedural aspect of divorce as opposed to fighting my case from my corner, and actually defending my rights as a supposedly, equal parent.

Dave: As I said previously, he seemed more interested in what the normal procedure was, and of course getting paid for doing nothing for me. He only repeated to the judge what I had said to him. I might as

well have told the judge myself and bought something for my children with the money that I would have saved.

Almost all the fathers were private fee-paying clients and felt the levels of fees were excessive. The issue of excessive fees is also acknowledged by Nelson (2014) who claims that although solicitors are ideally placed to provide legal advice in the divorce process they also “too often provide an unnecessarily expensive, cumbersome and protracted process for bringing a relationship to an end”. Gerry summed up legal representatives by saying that: the only three things solicitors are interested in are: Represent – Money – Move on to next case.

Many fathers felt disadvantaged in the legal arena and thought that the system acted against them and was in support of the mother. But, in hindsight, it is, in a way, inevitable that fathers would have negative feeling for a system that they perceived had failed them. Don, for example, when asked if his views and wishes were taken into account by his solicitor, replied, “Not really; no. It was all the mother”. Another father also felt the same way and commented:

Shane: No, they haven’t been at any point whatsoever. Well, it’s still going on but each time, the impression I get is my ex’s point of view is more important than my son’s right to have a father...I sacked him before the first hearing. I represented myself.

The majority of fathers were disillusioned with the legal advice and representation they were offered, which resulted in them sacking their solicitors and representing themselves, as they often felt they could do a better job. As in most contact cases at that time, mothers were awarded primary care, so inevitably fathers felt disadvantaged before the actual court case commenced. Since a major reform of the family justice system in 2014, there has been an institutional overhaul of the family court system which introduced a single family court with court judges at all levels dealing with all family cases (Munby, 2014b). The introduction of a single court was implemented to improve efficiency and eliminate any notion of gender bias. In a keynote speech to Families Need Fathers in November 2014, Sir James Munby stated that the fundamental principles of family law are that “men and women, husbands and wives, fathers and mothers come before the courts on a basis of equality. The mother’s voice does not have more weight because she is the mother. The father’s does not prevail because he is the father...obviously the system is not perfect. There will be occasions when individuals have experiences that lead them to believe that is not what happens... if cases come before me in the

Court of Appeal where that has not been adopted as a principle then I will speak out and I will reverse the judgment (Munby, 2014b). Whilst waiting for a court hearing post-separation, most fathers in this study had little or no contact with their children and in order to main contact had to negotiate (not always successfully), with the mother. This places fathers in a fragile position because it is the “mothers’ responsibility/control which makes it difficult for fathers to negotiate their parenting when they are outside a cohabiting relationship...this issue is not simply a relative lack of control that is imposed by circumstances but one that is caused by the particular way in which mothers can assert control over fathers” (Dermott, 2008:228).

In ‘*Family Fragments*’ (Smart and Neale, 1999), a group of parents experiencing post-divorce were interviewed about their experiences of the legal system; when discussing separation/divorce, the authors’ argue that “women had no idea about property or tenancy transfer, about the looming problems of pensions; about how much money they would need to avoid poverty later in life” (1999:162). It would be fair to assume that most fathers would be in the same position, but as well as the issues mentioned above by the mothers, some fathers would have the added problem of negotiating child contact with the mother. This was the case for almost all fathers in this study. None of the fathers were familiar with divorce law, and almost all of them had to seek legal advice regarding contact, finance and the family home. They all had to redefine their fathering role, and for some, the emotional impact had serious consequences on their health and well-being. It is important, therefore, to recognise the complex and contradictory nature of gender relations regarding post-separation fatherhood and law.

Mediation: A legal obligation for separating couples

In the event of a divorce, parents generally want what is best for their children and a lot of physical and emotional energy is invested in arranging what is best for them. However, children can sometimes be used as weapons in their parents’ marital conflict. They are the most vulnerable participants in the divorce process (Mooney *et al.*, 2009), hence the mandatory attendance of a MIAM followed by possible parental mediation, as a way of attempting to resolve the issues of child care arrangements in the best interest of the children.

According to Murch (2004), in divorce proceedings as a whole, it is the children who are often excluded and ill-informed when their parents' relationship breaks down. Therefore, independent mediation could provide "informed face-to-face discussions between separating and divorcing parents to help them to reach their own agreed decisions. In this way, parents could avoid contested applications over their children in situations that would otherwise be increasingly managed by their solicitors and potentially determined by the court" (Parkinson cited in Westcott, 2004:33). The introduction of MIAM's therefore, took place in a context of profound social and legal changes for parents and children.

The implementation of the Children Act 1989 had 'the best interest of the child' as its core objective, and according to Smart and Neale "the whole ethos of the legislation stressed the importance of keeping fathers involved with their children and it rapidly overturned the idea that the primary carer should have special consideration after divorce" (1999:38). It also stressed that parents should try to resolve their conflicts over children without court intervention, and promoted mediation as a viable route for conflict resolution. Mediation was introduced into the divorce process as a means of encouraging parents to reach mutual decisions post-divorce/separation regarding issues of children's welfare and child contact. In 2007, the Family Mediation Council (FMC) was established to create greater public awareness of, and access to, family mediation, and is made up of national family mediation organisations in England and Wales to ensure that the public can confidently access family mediation services that are governed by a framework of professional practice (FMC, 2015b).

At the time of my fieldwork to the present day, mediation is not mandatory, despite many fathers in this study expressing their preference for mandatory mediation. However, since the implementation of The Children and Families Act 2014 which focuses more attention on the role of family mediation in private family law, MIAM's are now the default option for separating parents who cannot agree child care arrangements, with the expectation of mediation attempted by parents if it is deemed suitable, providing instances of domestic violence and child abuse are not involved. Up until the late 1970s, mediation was usually carried out in-court, where a meeting between both parents their solicitors', a registrar and court welfare officer (now CAFCASS officer) took place (Roberts, 1997). This type of mediation was seen to put both parents under considerable pressure at a time when they may have been feeling

particularly vulnerable. In 1978 out-of-court mediation was offered which had no formal connection with the local courts (Parkinson, 1986), and, as such, the independence of the court presented less danger of parents confusing the role of the mediator with that of the court welfare services, enabling them to determine their own arrangements over their affairs, in their own way. It has been suggested that up until the late 1990s, mediation was seen as being outside the family justice system and a service for mainly middle class, middle income clients (Parkinson, 2011); today however, mediation is very much a part of the main stream of family justice enabling separating couples to maintain their autonomy in reaching legally informed agreements through ‘co-operative justice’.

The mediation process was known to twenty three fathers in this study; however, two fathers were unaware of its existence. When Gerry sought legal advice from his solicitor after he and his wife had decided to apply for a divorce, he stated: no, there was no mediation. The last thing solicitors recommend is mediation. They are only interested in money.

Dennis had never heard of ‘mediation’ but claimed he would have attempted it had his solicitor suggested it as a possible source of reconciliation. As Dennis commented:

It was never offered, and I was ignorant about divorce law at that time, so I didn’t know that mediation even existed. However, knowing what I do now, if it was offered to me today, I would accept it, because I do believe that we may have been able to work something out, that we were both happy with.

For Colin, upon separation, his ex-partner had agreed that their son could live with him, so in his own words, “we didn’t really think about mediation” as everything was decided prior to the actual divorce. Another father thought about mediation prior to seeking legal advice, but was unsure of how to go about arranging it. He tried to contact his local Citizens Advice Bureau, but as he said:

Alex: No, I wish I had and that was a big mistake. I tried to go to Citizens Advice Bureau three or four times in [my local area]. They’re always closed. I was working, I couldn’t get any sense out of anyone, so in the end I just picked some solicitors out of the Yellow Pages and that was a big mistake, missing the opportunity for mediation really.

In former years, mediation was referred to as a bargaining position between male and female disputants (Dingwall *et al.*, 1996), in which mothers tend to defend the fathers request for

increased contact, but at the same time fathers have to negotiate with the mother for increased contact. This bargaining position was seen by Smart and Neale (1999) as an instance of gender power relations. Over three decades ago, mediation was viewed by feminists as damaging women's interest because women faced their former partners as unequals. According to Smart and Neale however, "husbands are defined as in deficit while mothers are defined as being in surplus, but as unwilling to share" (1999:147). Dingwall *et al.* (1996), in their work on gender and divorce mediation, argue that mediation is not biased against mothers, as suggested by other researchers. However, Peter and Patrick described how mediation was attempted by both themselves and their ex-partners, but discontinued because their ex-partners believed the mediators to be biased in favour of the fathers:

Peter: I arranged mediation after separation...so anyway, initially we went along and after two meetings I felt that the meeting was very good. He was a solicitor anyway, but it was a difficult process you know. We were both in the meeting but we had separate meetings as well, and he was trying to compromise because that's all mediation is, it's compromise...after two sessions of mediation she cancelled that because she accused the mediator of being biased towards me. At the end of the day, this was the woman I fell in love with and lived with for nineteen years and you know, I just feel sorry for her.

Patrick: Yeah, we went to [a local] family mediation. I was a bit concerned because my ex-wife is a probation officer and the mediator that we had was himself, an ex-probation officer. However, after about five or six sessions my ex-wife decided to pull out of mediation on the basis that the mediator was prejudice towards her...I mean the mediation process was fine. We did marital mediation with Relate previously and she walked away from that as well because they gave her a hard time. So, overall, I think it did as much as it was ever going to do. Did it work? No.

On another occasion, mediation was attempted but because Shane claimed that his ex-partner wanted to discuss finances rather than child contact, the mediation session was terminated:

Shane: I did actually get an offer of mediation to discuss child matters, and finance and divorce. By the time I got to the mediation she decided she only wanted to discuss finances. Because I would only discuss my son first, she broke down in tears and, ah, the mediator said it wasn't suitable for mediation and she got a tick in the box for her Legal Aid to say that she's attempted mediation.

Mediation is likely to succeed if there is even minimal trust between both parties. However, according to Roberts (1997), where there is generalised conflict or a range of problems, it is likely to prove an unsuccessful method of intervention. Other circumstances according to Roberts may also render mediation inappropriate, including serious imbalances of bargaining power; involuntary participation; extreme conflict; referral that is too early or too late; and lack

of clarity and competence on the part of the mediator. Roberts' view that generalised conflict may be a contra-indication for effective mediation has been heavily challenged in recent research both in the UK and overseas. It has been suggested that high levels of conflict between separating/divorcing parents have significant detrimental effects on children (Bragshaw, 2005; Gilmour, 2004; McIntosh and Deacon-Wood, 2003) with regard to negatively affecting children's academic achievement and social development (Chandler and Stewin, 2006). High conflict disputes also impose significant resources on the judicial system; often involving frequent court appearances (Finman *et al.*, 2006) which could otherwise be better resolved out of court.

For those parents experiencing conflicted relationships in the UK, where intervention is necessary, the court may make an 'activity order' which will require a parent, or both parents, to attend programmes such as a Child Arrangements Programme and/or a Separated Parents Information Programmes (England) and Working Together for Children programmes (Wales), classes, and counselling or guidance sessions (Gheera, 2014a) which will help parents recognise the suffering that their child may be enduring as a result of the conflict caused by parental separation and assist them with establishing, maintaining or improving involvement in a child's life. In a letter written by the Right Honourable Simon Hughes MP to the Family Mediation Partners in December 2014, statistics revealed that between July and September 2014, there were 1896 mediation starts and of these 1257 (66%) reached successful agreements (partial or full) (Family Mediation Council, 2015c). These figures indicate that mediation for parents experiencing conflict in the UK can be seen as an effective means of helping them reach an agreement post-separation/divorce.

Research on high conflict disputes in various provinces throughout Canada revealed a number of special intervention programs and services that have successfully dealt with parents and children experiencing high conflict relationships (Cantwell, 2006; Trussler, 2006). Due to the sheer volume of such interventions and services, the following literature will provide a snapshot only, of what is available to parents in high conflict cases. According to research carried out by Paetsch *et al.* (2007), such interventions include education programs for separating parents (Newfoundland and Labrador), programs to encourage better parental communication skills such as the "*For The Children's Sake*" (Toronto), the use of court

appointed assessors such as psychologists, social workers and psychiatrists, therapeutic interventions (Ontario), Family Restructuring Therapy (Alberta) and a Child Protection Mediation Program (CPMP) (British Columbia). After reading all the interventions and services available in high conflict situations, it is evident that they all have one aim in mind and that is, to identify the cause of the conflict and help separating parents communicate effectively so that they can develop a focused parenting plan that would promote the future well-being of the child (Carter *et al.*, 2006). Overall, the effectiveness of mediation in Canada has seen a reduction of separated couples resorting to use the court from 10% to 5% (Family Mediation Task Force, 2014).

In the United States, similar programs have been established to help separating couples; these include the Children in the Middle Programs in Texas, the Pre-Contempt/Contemnor's Group Divisionary Program in Los Angeles, Parents Beyond Conflict in Oregon, the Parenting Coordination Program in Oklahoma, the Post-Separation/Divorce Intervention Model, the Sieve Model in Florida, the Connecticut Family Services Model and many others (Bartlett, 2004; Bauchert, n.d.; Chandler and Stewin, 2006; Children in the Middle, 2006; Finman *et al.*, 2006; Gilmour, 2004; Hoffman, n.d.). After reading the above mentioned programs, it is evident that their implementation is similar to those in Canada. They all stress the need to educate separating parents on the importance of communication and negotiating skills so that parents are made aware of the effect that divorce and conflict have on their children's well-being. Research also suggests that the aforementioned programs have all indicated a successful contribution to conflict resolution (Paetsch *et al.* (2007). According to Pickell (2000) American statistics indicate that over 80% of family mediation cases result in settlement; however, long-term evaluations need to be conducted.

Out of the twenty five fathers interviewed in this study, over half stated that their ex-partners refused to attend mediation, but the reasons for non-attendance were not conveyed. Therefore, it is not possible to gauge whether any of the issues identified by Roberts (1997) were the reasons for their lack of participation. However, it must be said that all twenty five fathers stated they had agreed to mediation, or would have agreed if it was offered, and thought that mediation could have proved very beneficial. Terry said: I asked for mediation by letter three times and my wife refused.

When Jason was asked if he attended mediation he replied: “No, mum refused”. Malcolm similarly stated that: My ex-partner have actually refused to attend mediation, whereas I have promoted it from the very beginning of our separation.

Matt remarked: I didn’t attend. I wanted to because it may have worked, but the mother refused.

Dave exclaimed: I was all for it, but my ex-wife didn’t want to know.

Gerald recognised that mediation may have been too early after the separation as emotions and anger were still prevalent between him and his ex-wife, although he was willing to try mediation but his ex-wife refused: Gerald said:

Well I wanted to try but my ex-wife was dead against it and to be honest, because of her attitude towards me and our marriage by then, I’m just not sure if it would have been in any way helpful or made a difference at all.

Out of the twenty five fathers interviewed, only six fathers attempted mediation. Two out of the six fathers already mentioned, said their ex-partners terminated mediation on the grounds that they perceived it to be biased against them, three other fathers and their ex-partners attempted mediation but the ex-partners refused to continue with the sessions with no reasons being given, and the other father attended mediation with his ex-partner, but she breached the agreement:

Keith: We attended mediation in January and agreed that we would have joint custody, which my ex has now gone back on. So I feel that mediation is useful, but the courts should have more access to what is said and agreed upon, so that people can’t change their minds once a case has started. I believe my ex will use mediation to delay things in the future, which should not be allowed.

Only one father from the whole group said mediation worked:

Don: She eventually agreed but that was down to the CAFCASS officer controlling it...several months that was, but during the mediation process she did agree then to let me see [my son] again after that fifteen month gap, but that was without [my new wife] being involved. I think that lasted, Easter time which was about April through until October, and that’s when the first contact with [my new wife] started...

Couples who enter mediation post-separation often do so with a vast array of feelings, conflicts and problems. When this study was carried out between 2005-2008, to maximise the

effectiveness of the service, based on the evidence of this study, it was suggested that mediation should be conducted independent of the courts, where couples are able to meet and reach agreements over time so that agreements could be tested, redefined and renegotiated if necessary, rather than have agreements breached shortly after the mediation session. To date, this recommendation is being implemented. Mediation sessions are conducted away from the family court and mutual agreements reached by separating couples can be legally binding in the form of a court order. Evidence reveals that mandatory mediation could very well be the way forward for the future, with 89% of the 16,000 mediation starts in 2012/2013 closing successfully (National Family Mediation, 2015); nevertheless, successive governments have been wary of making mediation mandatory. No study has been undertaken of parents who refuse to attempt mediation, as is the case in this study. What all the fathers did reveal, however, was their willingness to attend mediation given the opportunity, in the hope of securing contact with their children and maintaining a father-child relationship.

CAFCASS/CAFCASS Cymru – Working in the child’s best interest

The above discussion on mediation placed the emphasis on parents to try to come to their own agreement regarding child contact, using traditional mediation services which take place independent of the courts. However, for parents who are unable to reach an agreement, even after mediation, then applying to the family court in order to help them resolve their difficulties especially concerning the welfare of their children may be the only viable option. In these instances, CAFCASS/CAFCASS Cymru will co-ordinate the services of a Family Court Advisor (England) or a Family Proceedings Officer (Wales) (otherwise known as a Family Court Advisor) (Gov.uk, 2012) and guardians’ *ad litem* who prepare reports about children’s welfare for the courts.

One of the reasons for establishing CAFCASS was that the views and wishes of children of divorcing/separating parents were not being conveyed to the courts. This issue was a concern for Justice Minister Simon Hughes, when addressing the Family Justice Young People’s Board (FJYPB) who stated that “For too long, children and young people have struggled to have their voices heard during the family court process. Although they are often at the centre of proceedings, the views of children and how they feel are often not heard, with other people

making vital decisions for them” (Gov.uk, 2015b). Under the Matrimonial Causes Act (1973, s41), all divorcing couples with children under the age of sixteen are obliged to complete and file a ‘statement of arrangements’, but according to Murch *et al.* (1999) at the time they carried out their study, there was no mechanism for checking on the accuracy of the information in the statement and also, very few divorcing couples discussed arrangements with their children. It was intended, therefore, that CAFCASS become involved in providing such information. In order to address children’s wishes and feelings, a CAFCASS officer would need to speak to the child directly as well as indirectly via the parents. This would involve producing a detailed report on the child’s wishes and feelings as well as the officer’s recommendations of what he/she thinks is in the child’s best interest in the circumstances of the case.

To date, the Voice of the Child ranks highly on the government’s agenda to ensure that children from the age of 10 and young people should be at the centre of all proceedings and that their needs, wishes and feelings are considered when decisions are made that affect them. The government have suggested a number of proposals be implemented so that children are made more aware of the court process; these include raising awareness of FJYPB, an interactive gaming app for children and young people, a comic strip leaflet with images from the app regarding information about the court and the people in it, adding content to the Sorting Out Separation App, aimed at children, young people and their parents as well as changing the CAFCASS Parenting Plan to include information highlighting the importance of listening to the voice of the child both in and out of court (Department for Education and Ministry of Justice, 2015).

Although the courts are not obliged to request a CAFCASS report, the twenty five fathers in this study all had a CAFCASS officer involved in their case and all received CAFCASS reports. However, it has been suggested that the frequent delays involved in producing CAFCASS reports prior to this study, often deterred courts from calling for them (Bailey-Harris *et al.*, 1999a). The authors claim that in their study “in 26% of cases the court welfare reports took up to three months to produce, with 13% of cases taking between three and six months to produce” (1999:58), but there was no evidence of deterring reports in this study. What was evident nevertheless, was the fact that in most cases, the fathers did experience considerable delays in receiving their reports, preventing some from having any contact with

their children. Clive, Sam and Keith all commented on the length of time they had to wait before they could see their children:

Clive: I'd been assessed by CAFCASS at their offices but whilst I was waiting for the report to be written, which took nine weeks, I had no contact at all with my daughter. Mum called the shots and to be honest there was nothing I could do. I felt absolutely helpless and unless you're going through this process, you've got no idea what it feels like to be separated from your child. The whole system needs to be reviewed.

Sam: I haven't seen my son for two months now and all I'm waiting for is the CAFCASS report so that we can go to court and hopefully, I can start contact. I can't describe what it's like not being able to even see my son. All sorts of things go through your mind like, will he still remember me? Does he miss me? It's tearing me apart being away from him, but I've got to keep going for his sake.

Keith: I have had no contact with my children since 5th March 2009, although I have got an hour's contact with [my daughter] and a member of CAFCASS on 13th August 2009. The lack of contact has been through no fault of my own. I've tried speaking to me ex-partner on numerous occasions, but she won't agree to me seeing the children. I've even asked family members to talk to her on my behalf, but she won't have any of it. When I phone to speak to the children, my ex-partner makes some excuse that they're busy or they're out. It's hopeless...CAFCASS are preparing a report which is due on the 17th September 2009.

A number of fathers thought their reports were biased in favour of their ex-partners. The issue of bias was articulated by Roberts who claimed that "nor is it possible for the court welfare officer to be impartial *vis-a-vis* the parties, for, as we have seen, in the absence of an informal agreement, the officer must subsequently prepare an influential report in which his/her own opinions predominate" (1997:32). Fathers in this study found that when the CAFCASS officer's report was made available to them, rather than comment on their relationship with their children, it tended to promote their ex-partner's wishes.

Malcolm commented that: The court welfare officer, I feel, has been very biased in favour of my ex-partner...and the report was very biased and pro mum and anti-dad.

Dave said: Like everything else, it was very much in my ex-wife's favour.

There is no way of knowing if, in fact, the CAFCASS officers were really predisposed towards the mothers, but they were perceived by some of the fathers' as being unprofessional. On one occasion, Lewis made a formal complaint and had a judge and CAFCASS officer removed from his case:

Lewis: Um, the first report of the first proceeding was extremely one-sided, um, it actually repeated, I counted twenty seven allegations which, of my ex's, which the CAFCASS officer repeated without even looking at whether there was any substance to the allegations or not, allegations which were made against me. The first report of the second court proceedings was um, brief, to the point where it was of no use to the court whatsoever, and the next officer that produced a report, full report, actually did a very good job, by this point I had made a formal complaint, and had a judge removed, removed a CAFCASS officer from the case and CAFCASS, I believe, realised that they, that they needed to appoint an officer with considerable experience, which they did.

The above quotation could equate with the fact that the CAFCASS officer's own views could be given weight over that of the child's views dependent on the officer's perceptions of the parents. According to Hester *et al.*, this produces a "we know best" (1997:31) attitude, which would lead to the assumption that some officers could act in an unprofessional manner and base their reports on subjective views rather than reporting objectively. However, to date CAFCASS/CAFCASS Cymru provide feedback factsheets for children and young people together with feedback forms, to enable them to comment on the service they received from CAFCASS. Adults are also encouraged to feedback on their experience with CAFCASS either as a compliment or as a complaint (CAFCASS, 2015c); this could be seen as a way of dispelling any myth concerning perceived bias or misrepresentation.

On a number of occasions, fathers commented on receiving their CAFCASS reports literally hours before a court hearing, or in some instances the day before the hearing, giving them little time to read it and prepare a response:

Terry: A couple of times the reports came late...there was one hearing that was the turning point in the whole situation...I had contacted the court two days prior to say I hadn't had the CAFCASS report. I'd just had it then. I had to have an e-mail copy of it, so I had no time to take legal advice or to prepare for the court hearing. I was told I'd still have to go to court, so I went, and thinking the case wouldn't proceed, because I hadn't enough time, not only that, I hadn't had the statement from my ex-wife. I was handed the statement from my ex-wife, by her solicitor, twenty minutes before going into court...I went into court and a judge was going to hear the case, and when I expressed my concerns and my request, he said, "Well, no we're going to go ahead with this". He completely ignored me. And then the outcome of that case was...from having my daughter every other weekend, Friday to Sunday and every Wednesday and then overnight and half of all the school holidays, I went from that, to three hours on a Sunday and it was em, ordered for sixteen weeks. It only got to eight sessions. Only half of them took place.

Malcolm: The first report where I expected a recommendation to be that of shared residence, through the initial meeting I had with her at the beginning of May, and on the 19th May she filed a report which I read at ten to five the evening before attending court at 10am the following morning. Therefore, I had ten minutes of working hours to try and discuss a deal of appeal or do anything with.

When another father was asked if he saw the report prior to the court case, Dave replied:

Yes, but that was just before the court case so I didn't have much time to study and think about its contents before we actually went to court.

Many fathers viewed the late reports as being a 'delay tactic' to prolong contact, although there is no concrete evidence to support these allegations. However, during my observation period, at every meeting, fathers would discuss their cases and openly disclose their paperwork from the courts and CAFCASS to other FNF members. As a researcher I was given access to such reports, and I can confirm, that in some instances, the reports I read did seem to favour mothers. Also, some fathers did receive reports the day before the court hearing or on the day of the court hearing and therefore, they had no time to prepare a response to the report; this was evidenced by the date stamped on the actual CAFCASS report and the date-stamp on the envelope, in comparison to the date of the actual court meeting. It must be stressed, however, that these issues were not commonplace with the majority of fathers at FNF.

Fathers voiced other negative experiences they encountered with CAFCASS. Jason, for example, had received reports where no definite decisions were made regarding his children's welfare. The reports were, he claimed, full of "ifs and maybes" and this prolonged contact with his children. As Jason states:

A professional person who is put in the position to make decisions and doesn't make a decision, I think, is an embarrassing state of affairs.

Lewis, on the other hand, experienced difficulty in accessing reports: On a couple of occasions I've had difficulty getting disclosure of the CAFCASS report from CAFCASS.

It has also been suggested by some fathers that CAFCASS reports contained substantial inaccuracies. Gary claims: "the report was full of false statement" and Mark felt the same applied to him when he received his reports:

Mark: very often they were full of inaccuracies and they were full of objective, sorry subjective.

Only one father thought his report was balanced, although Alex did say that the reports “sat on the fence a bit”, but two fathers viewed their reports as being positive. Derek claimed that his report: Was positive. It said that [my son] reacted well with me...he would benefit from more time...

Patrick, who works for the media, stated that:

The report was scrupulously fair which may have just have had something to do with the fact that I had personally lobbied individual members of the Welsh Assembly sitting on the Social Justice Committee which regulated CAFCASS, and because of that, been invited in for a personal chat by the head of CAFCASS. So I suspect when it came to me having a CAFCASS report um, that influencing may have had some bearing on how they did it.

Of the twenty five fathers in this study, only three were satisfied with the contents of their reports. Inaccuracies in the reports were defined as misleading items of data or factual errors. A father can request that the CAFCASS officer amend the report. But failure to do so could have a profound effect on the father’s case, especially when a judge has to make a decision regarding contact.

In 2005, CAFCASS in Wales became the responsibility of the Welsh Government and is now known as CAFCASS Cymru. When CAFCASS was first established there were evidently ‘teething problems’, as some of the fathers in this study experienced and articulated. Nevertheless, only one father out of twenty five seemed to believe that over the years these problems have been seen to have been addressed, especially at CAFCASS Cymru. As Mark states:

I think things have improved over the last ten to twelve years. I’ve seen an improvement myself and it took me eleven years of litigation but I finally got a Shared Residency Order for my son.

No other father had anything positive to say about CAFCASS, and no mention was made of any improvements in the way fathers’ cases were handled. But, it must be pointed out that although most of the fathers in this study viewed CAFCASS in a negative light, CAFCASS reporters appear to provide a professional service within a complex, challenging and contested arena and often experience a high level of demand for their services. Between April 2014 and March 2015, CAFCASS received a total of 34,172 new private law cases and in August 2015 they received 2,954 new private law cases, an 18% increase on August 2014 (CAFCASS,

2015d). These figures are indicative of an organisation whose resources are constantly stretched and whose cases require “investigative and inquisitorial depth” (CAFCASS, 2014), by highly qualified members of staff.

The above analysis has focused on out-of-court mediation with private mediators, and in-court conciliation via CAFCASS, where child contact has been the main issue of concern. When parents separate/divorce, there is also the issue of finance which has proven to be a contentious topic since the introduction of the Child Support Act 1991. The Act saw the removal from the courts, the right to determine how much maintenance the non-resident parent (usually the father) should contribute to the child’s upbringing, and the right to enforce such agreements. These matters, at the time of my fieldwork were dealt with by the Child Support Agency, but are now directly dealt with by the Child Maintenance Service; therefore, the majority of the following text will refer to the Child Support Agency, as they were the department the fathers in this study paid maintenance to, not C-MEC or the CMS.

The CSA and its notion of the reassertion of fatherhood

The introduction of the Child Support Act 1991, was prompted by the rapid increase of lone parents (usually mothers), in the 1980s (Clarke *et al.* cited in Brannen and O’Brien, 1995), who were dependent on income support. According to Clarke *et al.*, the philosophy underlying the Child Support Act is that “biological parenthood creates an inalienable *financial* responsibility towards the child” (1995:134). The Act emphasises the issue of financial responsibility for children above all other aspects of responsibility, with no reference being given to the importance of fathers maintaining contact with their children, or the possible cost involved in maintaining contact. Therefore, it can be assumed that the Act’s notion of financial responsibility can be seen as restricting the non-resident parent’s role to that of breadwinner, which was articulated by fathers in this study in Chapter Five, and as such, reinforces a gendered division of labour.

The Child Support Agency started operating in 1993 and devised a complicated formula for calculating maintenance payments. The original formula proved to be a problem, as it needed

detailed financial information from both parties (Clout, 2003) which was not always possible. Derek is one of the many fathers whose payments were calculated using the original formula and who found the system to be very complicated, especially as his dealings with the CSA arose shortly after it was set up:

Derek: In 2004 the CSA was quite young and incompetent and I was dealing with a branch...where, historically, problem files went down lift shafts...um, I find it a very complicated system because I'm on the original CSA calculation system ...with about a hundred pieces of information...the new system weigh out, it's fifteen per cent of your income, is much clear cut...but over the years, I'm now actually paying less because I've got two children from my second marriage. I'm actually paying less maintenance than I was, but you know, it's a nice steady three thousand plus income a year tax free, so you know, if in many years to come [my son] ever sees me again, I can say, "well, I have supported you since you were born" you know, and it will be till the September after he's eighteen.

The parents with care who were in receipt of benefits were obliged by the CSA to make a claim against the non-resident parent. However, if the parent with care was not in receipt of benefits, they could ask the CSA to make an assessment, but they were not obliged to do so. The ex-partners of some of the fathers in this study chose not to use the CSA, but received maintenance by mutual agreement. Thus, Don remarked that:

The CSA have never been involved. I've always contributed financially, but not through the CSA, it was done mutually", and Shane remarked that he had not dealt with the CSA because it was the "one thing funnily, that my ex was able to agree on.

Two fathers, however, claimed that their ex-partners had agreed on a sum of money mutually, then changed their mind and decided to use the CSA. But on learning that the CSA contribution was going to be less than they were receiving from the mutual agreement, they apparently changed their mind:

Patrick: No, I've not had any dealings with the CSA. At the time of the divorce she, um, imposed on me a payment of £300 a month. After the first, I say the first, after the resolution of the contact issues when we had a Shared Residence Order, and fifty, fifty care of the kids, I suggested that £300 a month wasn't really reasonable given that I had, well frankly, the bulk of the bills. She said it was perfectly reasonable, so then I took her to court and the day before the hearing she backed down and agreed to my compromise of £100 a month.

Alex: Um, no, I've always given [my ex-wife] the right amount of money per month. She then decided to go through the CSA in January this year, then she realised she was going to get less money that I was giving her, so she then backed down and I'm still giving her the same amount of money now, as CSA was going to give her.

Of the twenty five fathers interviewed, only one refused to pay child maintenance. Gerry stated: No, I don't believe I should pay for the abuse of my children by the state and mother.

Twenty three fathers either contributed financially through the CSA or by mutual arrangements, and the other father, who lived a considerable distance from his son, felt the money the CSA suggested he paid would prevent him from travelling to see his son but consequently, as he was returning to full-time education, he was not liable to pay CSA maintenance:

Malcolm: It's gone through the process but apparently, with me returning to study here as a full-time student, you are not liable to pay CSA maintenance and therefore, on my full-time earnings I should have been liable to pay £37 a week to mother. If I had to pay that I couldn't afford the travelling to see my son, so I view it as either paying mother maintenance and my son never sees his father, or I don't pay mother maintenance and I use that money as a source of travelling expenses, which is about £30 a week, to see my son.

Malcolm's case is an example of findings in a study carried out by Clarke *et al.* (1994) where it was reported that in some cases fathers' who contributed via the CSA were unable to visit their children as frequently, were unable to buy treats for the children, and were unable to contribute financially in other ways such as, buying items of clothing or large Christmas and birthday presents.

When the Child Support Agency was first established, it was met with "guarded praise from across the political divide" (Collier, 1994:384). This accolade, however, did not last and "in a matter of months from its enactment became one of the most reviled and potentially damaging of the Conservative Government's forays into family politics" (Collier, 1994:384). The Child Support Agency was viewed as a system that was failing children rather than helping them. Non-resident fathers were misleadingly portrayed as 'deadbeat dads' or 'errant fathers' in media accounts of the perceived injustices of the CSA, when in fact, it was the irresponsible behaviour of a minority of fathers that the CSA intended to target. On the contrary, further research suggests that non-resident fathers often do want to contribute financially. A study carried out by Speak *et al.* (1997) of 40 non-resident fathers in Newcastle found that they very much wanted to sustain contact and remain involved in their children's lives, as well as contribute in cash and in kind towards support of their child. A more recent study carried out by Poole *et al.* (2013) claim that just over two thirds (68%) of non-resident fathers, that is 313,000

of the 20,340,700 men aged 16-64 that were estimated to have been living in the UK in mid-2012 reported that they gave or sent money for child support.

Fathers in this study also demonstrated a similar commitment to their children. As well as paying maintenance, many men, whether through the CSA or by mutual agreement with their ex-partners, said they provided financially by way of savings accounts for their children's future, or in kind by buying clothes, presents or giving the child pocket-money upon contact. The following cases are good example of this practice: Dave remarked:

Yes, I have always paid what they told me to, plus I give my children money and buy them a couple of things on the rare occasions they are with me.

Peter commented that:

I pay what the CSA tell me to pay you know. In addition to that I do send money to my son directly by cheque, and I've got a regular savings account with a building society which he'll have when he's older, which he's not aware of.

Sam said:

I pay maintenance through the CSA, yes, but I also buy the children clothes if they need them; I pay for school trips, and when I see them I always give them pocket-money.

With almost no exceptions, apart from Gerry, the fathers in this study are financially committed to their children's welfare, even when contact is minimal. Just over half the fathers interviewed contributed financially through the CSA, and when asked if they thought their payments were a fair amount, gave a mixed response. Three fathers thought the payments were too high in relation to their outgoings. Keith stated: I think this is too much for what I earn on top of my other expenses per week.

Stuart felt the same way: I feel it is slightly too much as it is fifteen per cent of my earnings, and I have bills to pay as well.

Matt said: No, definitely not. It's far too high.

It must be pointed out that although Keith, Stuart and Matt thought the payments were too high on top of other living expenses, they also realised that it was part of their responsibility as a

father to provide financially for their children. Lewis felt aggrieved with the way the CSA was set up, and when asked about the fairness of his payments he remarked:

Lewis: The problem I've had with the CSA is actually getting them to implement any of the assessments. I have had extreme difficulty, and am currently still paying arrears which built up through no fault of my own, but it's something that I've not given a great deal of thought to, yet the amount I've been paying it does aggrieve me considerably, that because my ex has been claiming income support for a considerable part of the time since we've been separated, she've seen very, very little of any money which this CSA have taken off me, and that's the one thing that aggrieves me, not their incompetence of getting the job done, but also the fact that this CSA was only ever set up as a means of raising more revenue for the government.

Only one father took a neutral approach when discussing the CSA. Jason commented that:

Sometimes you think it's too much because you want to see your children benefit from what you give...but in other ways it's not enough. But whenever I see my children, I buy them clothes or whatever they want, so, I don't know. Em, yeah, the CSA or C-MEC, I suppose, there has to be a figure and someone has to come to this figure, so I suppose it has to be paid.

Two fathers felt that their financial contribution should have been calculated against the amount of time they spent with their children. Gerald was in support of paying towards his children's upbringing, but found it difficult to equate the amount payable to his ex-partner in respect of his contact time with the children. In Gerald's own words:

I've got no problems paying or contributing for my children's maintenance, but what makes it unfair is that I hardly ever get to see my children in comparison to my ex-wife.

Terry, however, last had contact with his daughter three years ago but continues to pay maintenance through the CSA:

Terry: I think it's very unfair considering I don't see my daughter I think I should pay nothing until I see my daughter. I think that there's been a major, major problem caused by government policy in separating maintenance from the Contact Residence Orders. Going back when it was the old custody and access, the maintenance was part of the whole package and determined by a judge...well, the CSA came along...the CSA will hound you regardless, and they don't take into account any of your circumstances whatsoever. You could be spending, you could re-mortgage your house to pay your legal costs, and they don't want to know. You sell your house and they don't want to know. You could make yourself unemployed, they don't want to know. They're not interested at all in the circumstances of the parent who has to pay the maintenance. This is a straight, you know, fifteen, twenty, twenty five per cent of your income.

Terry's remarks reinforces Dermott's comment that, "it was this apparent separation of money from care that provoked outrage from many men" (2008:101). According to Child Maintenance

Options (2015) many parents feel that child maintenance should be linked to the amount of time spent with their child(ren); an issue which is not recognised by the government, or in family law. In fact, it is the non-resident parent's legal responsibility to provide financially for their children, irrespective of contact time or lack of contact. Effectively, 'absent fathers' were once viewed in a negative light and little was done by the government in the early- to mid-1990s to encourage greater involvement of non-resident fathers in their children's lives. Nevertheless, over the past three decades, as some fathers in this study have suggested, there has been an improvement in 'the system'. In order to ensure an involved, father-child relationship post-divorce/separation however, most fathers in this study stated that a statutory legal presumption of contact should be administered in the Family Courts.

A legal presumption for contact following parental separation

Most non-resident fathers are committed to sustaining an on-going relationship with their children, as is evident in this study, despite the fact that they no longer reside in the matrimonial home, albeit with contact restricted to a part-time basis. Although it is suggested that mothers' responsibilities increase post-divorce/separation (Smart and Neale, 1999), fathers, on the other hand, have to negotiate their parental practice in order to develop a father-child relationship. This often involves having to comply with a restricted contact schedule and accept that their authority to make decisions regarding their children will be limited, and in most cases, facilitated by the mother.

At the time my fieldwork was carried out, the standard paradigm for post-divorce/separation parenting was the granting of primary care (usually granted to mothers) and contact time to fathers. Therefore, there were signs of a growing enthusiasm, especially from non-resident parents' groups such as Fathers 4 Justice (F4J), Families Need Fathers (FNF) and Mothers Apart from Their Children (MATCH), for a 50/50 legal presumption in favour of shared parenting.

Shared parenting is based on the idea that following divorce/separation both parents should retain a strong positive parenting role in their children's lives, with the children spending considerable amounts of time with each parent. Nevertheless, opposition to shared parenting

was voiced by The Solicitors Family Law Association (SFLA), who claimed that a 50/50 legal presumption in favour of shared parenting would be unworkable, as it would mean splitting a child's time equally between parents (Beatson, 2004). Critics also considered that this would "undermine a fundamental principle of the Act: decision-making based on the needs of the individual child" (Fortin, 2009). It can be suggested that by introducing such a clause, the legal right would shift the focus onto parents rather than what is best for the child. Sweden, however, adopts a different viewpoint, where Custody Orders tend to give shared residence on a weekly back-to-back basis, where one week the children are with their mother and the next week they are with their father (Hickman, 2004). Of the twenty five fathers in this study, only three fathers were granted a Shared Residence Order (SRO) (now known as a Child Arrangements Order). One father was given the SRO at the first hearing in the family courts, the second father was given his SRO after four years of going through the courts, and the third was given his after eleven years of court procedures.

Although most non-resident fathers were well aware that 50/50 should not be enforced as a rigid formula, most agreed that it would be a good starting point. It would promote a presumption of parental equality, therefore eliminating one parent's authority over the other. Two fathers in particular who were in favour of a 50/50 presumption stated:

Terry: Well I think it has to be got across from the top to the bottom of the system that both parents matter...we should start off with a presumption of shared parenting...I asked for a Shared Residence Order for a reason, cos I knew what was going to happen, and I was given the answer "Oh they're not going to work, em, they normally would only work where the parents could co-operate". But then that's false logic, because if the parents can co-operate, they don't need to go to court, and they don't need an order...they've got to make a Shared Residence Order right at the beginning to make it absolutely clear to the other parent, you are no more important...that's the way it should be approached. That would stop a lot of this nonsense that goes on.

Mark: ...I finally got a Shared Residence Order for my son. Now in my opinion, a Shared Residence Order should have been something that was in place from the outset, and it should certainly have been the starting point for the consideration of the court in terms of "is this a practical option for this family?" And they should have then, if they moved from that position, have done so as a result of what they heard, the evidence before them, or in actual fact the circumstances of my particular family and children.

Both Terry and Mark stressed the importance for a presumption in favour of shared parenting; Mark, who had a Shared Residence Order after eleven years, suggested that it could have been given at the start. The debate about shared residence centred on the appropriateness of non-

resident parents (invariably fathers), being closely involved in their children's lives after divorce/separation. Some fathers in this study were primary carers of their children pre-divorce/separation and managed to perform their parenting roles successfully irrespective of gender role ideology; hence, they could not understand why they were awarded limited contact post-divorce/separation.

Tony Coe, President of the Equal Parenting Council (2004), proposed that the government pay particular attention to the language in the Children Act 1989. He suggested they replace 'contact', which was viewed as an inadequate term, to a more appropriate term, 'parenting time', as 'contact' could underestimate the vital importance of parenting practice by the legal profession. The government accepted that, at that time, "the present legal system is inadequate, failing in the way it deals with contact cases" (Lord Chancellor's Department, 2001). This was the general consensus of fathers, but Dave in particular stressed that:

I can see now that this kind of situation is going to get bigger and bigger until the government will be forced to change the laws in this country regarding the enforcement of equal contact with children for both parents in cases of divorce and separation.

Overall, the general consensus amongst non-resident fathers in this study, together with non-resident parents in other organisations mentioned previously, seem to suggest that there was an overwhelming desire in favour of a legal presumption of shared parenting, and failure on the part of the government to recognise or enforce such a presumption could have a detrimental effect on fatherhood, and, more importantly, a detrimental impact on children. Today; however, things are very different as the Children and Families Act 2014 incorporates a presumption of shared parental responsibility, a topic that has dominated post-separation parenting for many years. Shared parental responsibility is stated in the Act to reinforce the importance of children maintaining an ongoing relationship with both parents post-separation. It is a way of encouraging parents to effectively co-operate on decisions regarding every aspect of care in their child's upbringing.

Conclusion

The discussion in the previous chapter argued that divorce/separation had a detrimental effect on non-resident fathers' roles. This chapter has examined the influence of legal and state welfare institutions for non-resident fathers, and how they had to renegotiate their fathering roles post-divorce/separation, often in times of conflict when emotions and anxiety were running high. Divorce/separation is not an easy process for either parent especially when it involves children and issues concerning child contact.

The introduction of the Children Act 1989 prioritised parenthood rather than marriage, with post-divorce parenting being viewed as more significant in family law (Smart and Neale, 1999). The courts were advised to encourage parents to make their own arrangements regarding their children, in some cases with the help of mediation. This nevertheless, meant that some parents (usually fathers) had their material as well as emotional ties severed. In fact, parental welfare was ignored in favour of the concept of the welfare of the child.

All twenty five fathers in this study felt compelled to go to court to obtain contact with their children. Many complained that the legal system was slow and drawn-out, and that some solicitors, judges and CAFCASS officers were seen to be biased in favour of their ex-partners. Many fathers would have welcomed the chance of participating in mediation, but their ex-partners were unwilling to co-operate. For those fathers who did attempt mediation, the sessions were either 'cut short' by their ex-partners or the mutual agreements that they both made at mediation were breached shortly afterwards. All but one father agreed that it was their responsibility to provide financially for their children post-divorce/separation, even though most had minimal, or no contact with their children.

In order for fathers to sustain a relationship with their children, it might be argued that there needs to be substantial contact or parenting time. That is, natural parenting practices, in a normal setting, under natural parenting circumstances. The divorce/separation process is painful for both parents, who not only have to come to terms with ending their relationship, but have to deal with the major issue of how they are going to continue their parenting practices,

independently. One of the primary aims of helping children cope with their parents' divorce/separation, is attempting to keep the non-resident parent in the child's life (Meuller-Johnson, 2005). It has been suggested that children who cope well with the divorce/separation process are those who maintained good relations with both parents (Mooney *et al.*, 2009). The quality of post-divorce/separated relationships between parents has been cited as a crucial factor which affects children's development and well-being. Therefore, a presumption of shared parenting is seen as the most viable option, unless there is a valid reason not to do so, such as instances involving violence, abuse or neglect.

So, having discussed how fathers' experiences of interacting with legal and state welfare institutions impact on their sense of fatherhood, the question remains: "How does the support group Families Need Fathers help members redefine their fathering roles?" The following chapter will address the question as well as discuss the reasons why some fathers turn to FNF for support. The chapter will give an insight into the type of support the group offers, the dynamics of the group and areas where non-resident fathers feel help and support are lacking.

Chapter Seven

The Dynamics of Families Need Fathers

The previous two chapters have focused on non-resident fathers' lived experiences of post-divorce/separation parenting. This chapter, however, will take a slightly different stance. Here, the majority of the analysis will be based on my own substantial field notes taken during my three year observation period with Families Need Fathers. This chapter will focus on the dynamics of a local branch of FNF in South Wales, whose overall aims and objectives applied at the time of fieldwork, to every branch throughout the UK. This chapter will offer a detailed account of non-resident fathers' lived experiences of the post-divorce/separation process and parenting from 2005-2008, by attempting to understand their thoughts, feelings and actions when interacting within a group environment. In other words, it will portray how fathers accomplish intersubjectivity through "mutually constructing actions, interactions and meanings (Prus, 1996: xiii) whilst attending FNF group meetings.

It must also be pointed out that since the completion of my fieldwork in 2008; FNF has changed in its approach due to legislative changes. One of these changes involved the setting up of Families Need Fathers Both Parents Matter Cymru (FNF BPM Cymru), a Welsh charity helping non-resident parents as well as grandparents maintain contact with children following separation and divorce. According to FNF BPM Cymru (2015) "In Wales, although the Family Law is the same as in England there are increasingly differences within the systems. Wales uses CAF/CASS Cymru, a separate body from CAF/CASS. Child protection protocol is also different. The charity was set up to respond to the changes caused by devolution and also works at a strategic level wherever possible to make sure the non-resident parent is involved in their child's life".

Groups such as Families Need Fathers, Fathers 4 Justice (F4J) and Fathers Direct (FD) have been referred to in the media and in scholarly research as either fathers' rights groups or the 'men's movement'. For the purpose of this study, I will use the term 'support group' when referring to FNF. As one father pointed out to me during his interview:

Mark: I do get a bit annoyed sometimes when we're described as a fathers' rights group, because that's not what we're all about at all, and whoever describes us in that way has completely missed the point...it's the children's rights to see both their parents that we're campaigning for and that FNF works for, it isn't the fathers' rights or the mothers' rights or grandparents' rights, it's the rights of the child.

FNF is very much a gender-neutral charity helping non-resident fathers as well as non-resident mothers. Therefore, the name 'Families Need Fathers' is misleading. When I asked the Chairman of the group if the charity had thought about changing its name, he informed me that because it has been in existence since 1974 and its popularity has grown, parents are familiar with its name. Thus, it is unlikely that the name will be changed and also, it is still fathers in the majority of cases who are the non-resident parent.

The Dynamics of FNF

The meetings were held on the first Tuesday of every month. The group used to meet in the function room of a public house, but during the latter part of my fieldwork they moved to a different location and held the meetings in a boardroom within a large organisation. When I first commenced observation, attendance ranged in numbers from ten to twenty six members and consisted of mainly non-resident fathers, who were, at times, accompanied by new partners or mothers, but generally there were more male attendants than females. However, during the third year of my observation, the number of female attendants increased slightly and consisted of two non-resident mothers as well as females accompanying their partners; and on rare occasions there were more females than males attending the meetings. It must also be pointed out that the females in this group were asked to be interviewed as part of this research project, but no offers were taken up.

In 2005, a typical meeting would be held as follows: at 7.30pm, the Chairman would introduce himself and welcome any new members before introducing me to the members, explaining my role as observer and asking if anyone objected to my presence (no objections were ever raised). He would begin the meeting by informing members of any new pieces of legislation that concerned post-divorce/separated parents, or any news FNF headquarters thought topical. He

then handed the meeting over to the members by asking if any of them had any problems or issues they needed to discuss. The Chairman would also ask any new members if they wished to discuss their case in front of the other members, or if they rather have a private conversation with him. In most cases, new members would discuss their problems openly. Often at this point, other members would articulate similar problems they were experiencing, or had experienced, and how, in some instances, they managed to resolve their problems.

At 8pm a solicitor from Bristol would arrive at the meeting to give an hour of free legal advice to any member who required her help. After the solicitor departed, fathers would continue discussing their cases amongst themselves, or some of the more experienced fathers whose cases had been going through the courts for quite a long time would offer help and advice to fathers whose cases were quite new. The Chairman would very often discuss his case, as he had quite extensive experience of the legal system and therefore, was in a knowledgeable position to offer help, advice and support to others. During the evening, the Treasurer would ask the members to contribute a small fee towards the hire of the hall and an attendance register would be passed around for members to fill in. Once the money had been counted and the hire fee paid, the meeting would be brought to a close by the Chairman. At the end of the meetings, fathers had the opportunity to take home with them, free hand-outs such as court forms, McKenzie magazines, parenting plans and FNF posters/leaflets. The meetings were usually brought to a close by 9.30pm. It must be pointed out that during 2005-2008, the Chairman arranged various guest speakers from academia and the legal and state welfare agencies to talk to fathers on issues which will be discussed later in the chapter.

Over the three year observation period, the structure of the group changed significantly. What started out as a very informal gathering, where fathers spent most of the meetings discussing their cases and offering help and support to one another, became a more formal process. With the appointment of a Patron, a noticeable increase in female members who also became committee members and a reduction in the time fathers were able to liaise with each other and discuss their cases became evident. More emphasis was placed on raising the profile of FNF which meant less time was given to the problems fathers were experiencing. An example of the change of group structure will be discussed below, by comparing an average meeting held in 2005 to a meeting held in 2008.

Changing group structure

On Tuesday 4th October 2005, I arrived at the FNF meeting early. It was 7.05pm, and the only people there at that time were the Chairman and his parents. By 7.30pm the group consisted of ten males and three females (which included me). Nine fathers were regular members and sat chatting to one another; the other father was a new member and this was his first meeting. The members sat around three tables which they pushed together. I positioned myself at the far end of one of the tables where I was able to observe and listen to what was being said. The Chairman opened the meeting by introducing himself and then introducing me. He welcomed the new father, who, for the purpose of anonymity, I will refer to as Gary. The Chairman talked about the problems he was having with his own case before opening up the meeting to the members. Gary was asked if he wanted to discuss his circumstances in front of the members or privately, but he chose to discuss them in front of everyone.

Gary fidgeted a lot in his chair and spoke in broken sentences when explaining his circumstances. He went on to explain that he was both physically and mentally abused by his former ex-partner, and that she had moved out of the country with his son, leaving him with great difficulty in maintaining contact with his child. He also explained the difficulty in having to negotiate between courts in two countries, as this often meant that conflicting information was being passed from one solicitor to another. In Gary's case, he had to fly to a different country to see his son, but very often when he arrived at the contact location his ex-partner would phone him to say his son was ill and therefore she was unable to bring him to see his father. This meant Gary had to fly back to the UK without having seen his son, which caused him great distress. At this point, two other fathers spoke up and told Gary that similar events had happened to them. They proceeded to give him advice about what he could do under the circumstances, at which point he looked more relaxed and remarked that he thought he was the only person to which this sort of thing happened. He was assured by other members that this ploy was often used as a means of delaying contact. Other fathers then took it in turns to discuss their cases.

At 8pm, a solicitor from Bristol arrived to give fathers free legal advice. The solicitor used a table at the opposite end of the hall, away from other members, to ensure confidentiality. Gary

was offered help and seemed in a much better frame of mind after talking to the solicitor. Other fathers then took it in turns to ask the solicitor questions before she left the meeting at 9pm (no notes were made on conversations between the solicitor and the members, as I felt this would have impinged on their confidentiality). A ten minute interval was held so that members could go to the bar for a drink, and at this point the attendance sheet was passed around for the members to sign, and the Treasurer would collect a small fee from the members to pay for the hire of the hall. In the last thirty minutes of the meeting the fathers left their original chairs and moved around from table to table to talk to others in similar situations to themselves, with the more experienced members offering advice and support to those that needed it. Personal phone numbers and e-mail addresses were often exchanged between members ensuring a support network was available to all that needed it. At 9.30pm, the meeting was brought to a close by the Chairman, who thanked members for their attendance and told them to help themselves to any leaflets, magazines or forms they felt they needed.

On reflection, the members that knew each other interacted with one another on entering the hall by shaking hands and verbally greeting one another. Gary, however, walked into the hall, looked around hesitantly before proceeding to sit on a chair away from other members. He sat with his hands clasped in front of him and making circular motions with his thumbs. His gaze was focused on the table in front of him with his head slightly bent forward. Occasionally, he lifted his head and looked around before casting his gaze back to the table, whilst shifting from side to side on his chair. The Chairman then walked up to him and introduced himself, which seemed to stop him from fidgeting, and then the meeting proceeded.

The meeting was very informal, with most members engaged in conversation with one another throughout the night: the sociable atmosphere seemed to help members interact in a more relaxed manner. After Gary explained his circumstances to the group, the members quickly offered him advice and support. One member who sat at the opposite end of the table, got up and sat next to Gary, probably in an effort to make him feel accepted and less distanced. Gary appeared more relaxed and talked continuously. It seemed as though he was relieved to get things 'off his chest' with people who understood his predicament and he also seemed astonished that two fathers in particular, were experiencing a similar situation to his.

The fact that each member could relate to contact issues and the divorce/separation process as a whole, seemed to promote a very supportive environment. The support network was even extended outside of the group meetings, with members exchanging personal details with one another, and in some cases, fathers staying behind after the meetings to give support to those that needed it. As one father explained:

Lewis: I tend to be giving a lot of advice. Um, I find it very hard to leave when there are people there, still at half past ten in the evening, going through what I've been through and um, needing support and you know...reminded that it will be worth it in the end.

The situation Lewis describes is something I personally witnessed on many occasions throughout the three years of observation, not just with Lewis, but also with other fathers. However, the dynamics of the group changed slightly, when the more recent meetings were held at a different venue, and FNF introduced a new Patron to the local branch.

On Tuesday 7 October 2008, I arrived at the FNF meeting which was now held at a new venue. As members arrived they took their seats around a conference table. Ten males and five females (including myself) were in attendance; I positioned myself at the far end of the table where I was able to carry out formal observations and at 7.30pm the meeting formally commenced. The Chairman opened the meeting by welcoming everyone and introducing himself and then introducing me. The meeting was then handed over to the new Patron who handed out copies of the night's agenda to all members. Before proceeding to discuss the issues on the agenda, the Patron proposed that the local FNF group become a formal Branch. Some fathers voiced their disagreement with the proposal regarding its change of status, as it meant a new committee needed to be formed with a Chief Executive and other committee members, but most fathers were happy with the group as it was. At 8pm, the Solicitor from Bristol arrived and invited fathers who needed free legal advice to accompany her to a separate room (four fathers took up her offer). Whilst the solicitor was giving advice, the Patron proceeded to discuss the items on the agenda. Items discussed included:

- FNFs membership with the umbrella group Children in Wales
- The inclusion of two FNF members at a Fatherhood Steering Committee
- A training day at a meeting entitled 'Mum and Dad Argue'

- A meeting with the Children's Commissioner for Wales
- A discussion of the meeting between FNFs Chief Executive and the Chief Executive of CAFCASS Cymru
- A discussion of CAFCASS Cymru's three year strategy
- A report on the establishment of a new FNF group in a different location in Wales
- A McKenzie training day
- A proposal for a FNF group to be set up in North Wales
- The results of a meeting between two FNF members and C-MEC
- A report by the Patron of FNFs AGM in Manchester

When the formalities had ended, the meeting was handed over to the fathers who had very little time to discuss their own cases. Just before the Chairman brought the meeting to a close he asked members if they would be willing to participate in my research by agreeing to be interviewed. Five fathers agreed and were handed cover letters and consent forms. The meeting was formally brought to a close at 9.30pm with the Chairman thanking everyone for their attendance and inviting them to take any leaflets, posters, forms or McKenzie magazines that they needed.

Members interacted with one another both verbally and physically. They chatted amongst themselves whilst discussing their own cases. The main topics that were discussed were contact orders and the length of time the courts took to hear parents' cases and insufficient contact time fathers had with their children. The Chairman expressed his relief at being awarded what was known then as shared residency of his son after ten years of court battles. The mood was a mixture of highs and lows. Most fathers seemed unhappy that very little time was given to them to discuss their own cases due to the extensive agenda. Their frustration at not being able to discuss their cases fully was not only conveyed verbally, but displayed through their body language with some fathers making sighing noises, scratching their heads, rubbing their hands down their faces, and moving their heads from side to side. Even after the meeting was brought to a close, many of the fathers stayed behind after other members had left in order to give/receive help and support. Before I left the meeting I approached the five fathers who consented to participate in my research and explained my research aims and objectives to them. After thanking them, I arranged dates for the interviews to take place.

Having described the location and structure of two random meetings, it can be seen that over a period of three years the meetings which were once informal and were held around pub tables with no formal agenda and plenty of opportunity for fathers to discuss their cases in-depth, with ample time devoted to advice and support, were then, with the appointment of a new Patron, held in a formal capacity around a conference table with a structured agenda, with very often, little time for fathers to discuss their cases. The committee which once consisted of three members, a Chairman, a Secretary and a Treasurer (two of whom were male and one female), now included a Chairman, a Secretary, a Treasurer, a Fundraiser, a C-MEC contact, and Publicity and Media Officer (three of whom were male and three females) as well as a female Patron. A lot of emphasis had been placed on raising the profile of FNF, as well as on fundraising and organising training programmes for members. This impacted on the amount of time fathers had to discuss their cases and offer support to one another. As one father commented:

Lewis: I think it does help to have um some structure...putting the agenda together and presenting the information I think that is valuable, but it shouldn't really take up too much time because...there are things which need to be brought to everybody's attention...but there needs to be as much time given to...providing support to the fathers who are there because...I know from my experience and from the experience of other people that I've known, that um, support can make the difference between a father staying involved in the child's life, and a father being cut out of the child's life.

Lewis's views echoed a general consensus among other fathers, that a strong support network is essential both in a practical and emotional capacity. Fathers felt that in order to generate support, time must be given to them so that they could articulate their experiences in a safe environment with others in a similar situation. When the FNF meetings became more structured at the new venue, this tended to impact on the time fathers had to discuss their cases. The main reason fathers' cited for the success of the group was that it provided excellent practical and emotional support. Fathers relied heavily on this support to improve their subjective well-being, as Stuart remarked:

The help is invaluable...you are able to discuss your case with others...and it's good to have people there to support you...but time must be given to us at the meetings now, just like it was at the old venue.

Similarly, Dave commented that:

It's a shame the meetings are so lengthy now. We need time to talk to each other, to gain information and offer support to one another. I hope this subject will be brought up at the next meeting.

Colin totally supports the new structure, but said:

I think the new structure is great, but a balance should be struck between raising FNF's profile and continuing the brilliant support FNF offers its members by allowing fathers the time to voice their concerns.

There seemed to be a positive response to the new structured meetings. However, fathers feared that a reduction in the time given to them to discuss their individual cases could affect the support they received, which, in turn, could have a negative impact on the father-child relationship. The fathers I observed and interviewed felt they had nowhere to turn to post-divorce/separation and therefore, found FNF provided the support network they needed. Nevertheless, if the meetings continued to be too formal with very little opportunities for fathers to discuss their issues, there is a chance that membership would dwindle and that, in turn, would have a detrimental effect on non-resident fathers who need and rely on that support system to come to terms with post-divorce/separation parenting. Despite the structured changes to the meetings; to date, FNF BPM Cymru has approximately eleven branches throughout Wales (in 2005-2008 there were only two). Most of the support meetings are registered with the Law Society's charity Law Works Cymru as Legal Clinics, where parents are able to obtain free legal advice from a specialist family solicitor at the meetings (FNF BPM Cymru, 2015).

Why join a self-help/support group?

The above analysis has briefly discussed the dynamics of FNF, but what actually motivates fathers to attend these groups? Chapter Three has already highlighted how research demonstrates that self-help/support groups are fundamentally important in helping to maintain participants' subjective well-being, with support being the primary objective of both types of groups. When I asked fathers what motivated them to join FNF, the main motivational factors they voiced fell into three main categories: practical support, emotional support and information. From the three sets of remarks below, it can be assumed that disillusionment with the legal system (an issue which has been covered in the previous chapter), is another factor which prompted fathers to turn to FNF for support. As Alex, Matt and Colin commented:

Alex: I went to FNF in January this year [2008] after being severely let down with my solicitor and having put faith in the court process for over a year. I went to FNF...and decided that was the only way

forward to represent myself, because I couldn't afford a solicitor anymore and I was um, basically on the rack really, being told that I should withdraw my application for contact.

Matt: I started attending about four months ago. I wasn't aware of FNF, but discovered them by accident. I found that I could get my views and wishes taken seriously, unlike talking to a solicitor or judge. I was helped to represent myself, an option that I never thought possible. So, this really has become my reason for being a member and to support others.

Colin: We did start getting a bit of background information ourselves but we turned to FNF because we were totally disillusioned with the legal institutions and we needed advice regarding false allegations.

Disillusionment with the judicial, legal and welfare system was routinely being discussed at FNF meetings. On observation, when the meetings were handed over to the members, one father would start a conversation by discussing a problem he was having with his court case, then other fathers would put their points of view forward, and what started out as a single conversation would then turn into a group discussion. For example, at an FNF meeting on Tuesday 6th December 2005, which was attended by eight males and three females, the Chairman made the formal introductions and handed the meeting over to the fathers. One father started the conversation by saying that he had driven from England to Wales to see his children that previous weekend only to find that the children were not at the usual meeting place where the handover was supposed to take place. On making a phone call to his ex-wife, he was told that she had taken the children away for the weekend and he would have to wait until the following weekend to see them, knowing full well that it was his weekend to have the children. This was a clear breach of contact order, but being a weekend there was nothing the father could do about it.

Other fathers began to articulate their experiences of breached contact orders, arriving at the conclusion that their ex-wives/partners were deliberately doing this to either stall father-child contact in the hope that it would eventually stop, or, because they knew they would get away with it; as fathers believed the courts were far too lenient with parents who breached the orders. What was noticeable was how quickly other fathers responded to the father voicing his experience, by offering him advice regarding notifying the court on the following working day that the order had been breached, and other fathers empathising with him because it had happened to them. Had the father not attended the meeting and gained the support of other

fathers, his issue could very well have impacted on his sense of well-being. Previously, the courts had limited powers when dealing with breached contact orders, but in December 2008 new provisions came into force in The Children and Adoption Act 2006, which included the introduction of “realistic and usable” new sanctions for breach of Contact Orders. These provisions allow the courts to make Enforcement Orders (which could include imposing unpaid work in the form of community service) on the parent who breached the order. The introduction of Enforcement Orders by the then Labour Government was based on the acknowledgement that the enforcing provision related to contact, by fines or imprisonment at that time, were far from satisfactory (Department of Constitutional Affairs and Department for Education and Skills, 2004). To date, when making or varying a child arrangements order, the courts are required to attach a notice of warning to the child arrangements order, informing the parent of the consequences of failing to comply with the order (Gheera, 2014b), before an Enforcement Order can be made.

Although some fathers in this study stated that they felt their ex-partners thwarted contact; in a study carried out by Trinder *et al.* (2013) of applications to enforce contact in private law cases, the authors found that only a fraction of the 10% of parents who have court determined contact arrangements, seek enforcement orders. They also stated that although the majority of enforcement cases are complex in nature, very few are ‘stereotypical cases’ of a single implacably hostile parent; in cases such as these, the courts are already acting appropriately by facilitating co-operative parenting programs such as SPIPs in England and WT4C in Wales.

In Chapter Three, I suggested that men were more reluctant than women to express their emotions, but this was not the case in this study. Fathers were more than willing to discuss their state of mind from an emotional point of view, and they also displayed their emotions through the use of body language at the meetings. When observing the group and carrying out the interviews, it was difficult to deny the significance of emotions per se in a variety of contexts, and according to Prus, “interactionist accounts...provide valuable insights into the ways in which “emotional states” are interwoven in the fabric of human lived experience” (1996:175). These so-called ‘emotional states’, were recounted by fathers’ when they were asked to describe their state of mind prior to joining FNF.

Jason felt that his emotions were in turmoil and replied: ...em, fragmented basically. It's just em, in a low act of shock, disbelief, amazement of how a father is treated.

Lewis felt that as the divorce/separation process is such a personal issue there was no-one he could turn to for advice, and answered: Um, very fraught, very tense...and it's very easy to feel extremely isolated.

Peter, however, described his emotional state as: Depressed. In despair really I suppose. Where do you turn for help with the system?

Shane, like Peter found that there was no support system to turn to for help and described how he had: given up. It's helpless, there's no help at all, whatsoever.

Matt said: I was desperate and I felt that I had given up hope.

Keith summed up the feelings of most fathers in the study when he commented that: My state of mind is still very fragile, but more so prior to joining FNF. I was emotionally drained and frustrated more than anything else because I didn't know where to turn to get help.

As well as verbally expressing their emotions, fathers often displayed their emotions through their body language at the meetings. One father in particular, Eric, attended FNF for the first time on Tuesday 4th November 2008. He arrived at the meeting in a visibly anxious state. Eric sat in a chair near to the entrance of the boardroom and did not attempt to speak to anyone. He kept his gaze directed on to the table in front of him, with his head slightly bent and his hands clasped together. The Chairman introduced him to the others and asked him to talk about his circumstances. Eric lifted his head slightly, but kept his gaze on the table. He was quietly spoken, and as he spoke he began to fidget in his chair and started twiddling his fingers. He had not had contact with his son for over seven months due to false allegations of domestic abuse being made against him by his ex-partner, which were investigated by the courts and finally dismissed.

However, Eric was arrested on four occasions by the police for breaching his indirect contact order (that is, contact by post, telephone or internet only), as he had tried to see his son whilst the allegations were being investigated. He then went on to say that he had contemplated

suicide as he didn't know where to turn to or what to do next. At this point, Eric raised his hands and covered his face for a few seconds before running his fingers through his hair, covering his face once again with his hands, before placing them on to the table and shaking his head from side to side [left to right]. The Chairman broke the silence by assuring him that he and other members would do all they could to help him. During the meeting, various members were instructing him on how to address the court at his next hearing; the Chairman wrote a letter to the court on his behalf; another member went through the court process and helped him fill out forms and another father who had also had false allegations made against him, offered him emotional support and gave him his personal mobile number. At the end of the evening, Eric looked a different person. He was interacting with other members, smiling, and seemed more self-confident. Before he left the meeting he thanked the fathers that had helped him and said, "With all your help, I now feel able to continue to fight my case". This endorses Schiff and Bargal's notion that, "once individuals realise that they have acquired new coping methods their general satisfaction with the group may increase" (2000:282). This is a typical example of how the group structure in FNF offers both practical and emotional support to its members.

Types of help and support FNF offers its members

It is evident from observation and conducting interviews that FNF offers three main categories of support to its members, practical, emotional and educational. This almost parallels Seymour-Smith's (2008) findings in her study of gender as a barrier to participation in self-help groups, where she found three conventional activities associated with support/self-help groups, advice, support and education. At FNF meetings, fathers are offered practical support in a number of ways, including preparing documents for court, how to fill in forms, obtaining second opinions, how to write letters, how to find case law, and to experience having a McKenzie friend accompany them to court (a McKenzie friend is a lay person who can attend court with the litigant in person and provide moral support to that person, take notes throughout the hearing, help with case papers, and give advice on points of law or procedures, issues that the litigant may wish to raise in court and question the litigant may wish to ask witnesses).

Emotional support was offered by fathers who simply took the time to listen to other fathers' grievances. They often exchanged personal contact details so there was always someone to talk

to at any time of the night or day. Fathers would often narrate their own experiences and how they coped with them. What I believe was the most effective or beneficial form of emotional support, was the fact that fathers were able to display empathy with each other, as they had all encountered shared experiences of post-divorce/separated parenting. From an educational stance, FNF offered support in the following areas:

- fathers were told what case law was relevant to their situation
- Fathers were taught how to become a litigant in person
- Members were given a free copy of the McKenzie newsletter
- Members could attend workshops that FNF often organise for parents in respect of becoming a McKenzie friend
- Members were given the opportunity to man the FNF help line
- FNF held parenting workshops, and training sessions for facilitators

In addition to the above mentioned support system, FNF has its own website, Internet forum, it continuously lobbies the government on issues such as shared parenting legislation, the CMS and it also participates in active campaigning. With post-divorce/separation parenting raising many issues that impact on the father-child relationship, the Chairman of FNF arranged for speakers from academia, the legal arena and welfare agencies to sporadically attend the meetings. These meetings presented fathers with the opportunity to participate in question and answer sessions in the hope of airing their grievances. Examples of some of these sessions taken from my field notes are as follows:

On Tuesday 7th February 2006, the Children's Commissioner for Wales was invited to the FNF meeting as guest speaker. He spoke about the United Nations Convention on the Rights of the Child, with particular attention paid to articles 5, 9 and 15 concerned with non-resident parents. He also discussed devolved powers in Wales so that non-resident parents (mainly fathers) could gain information regarding the health and education of their children from hospitals, GP surgeries, schools, social services and other government offices. The Commissioner stated that his previous employment was that of Director of Childline, and that he was also a Family Justice Council member. He felt there were four areas of the divorce process that needed to be addressed. These areas included:

- Children wanted parents to stay together
- Loyalty statements needed to be enforced
- There needed to be adequate living arrangements in custody cases
- Children felt they were not being heard.

When the Commissioner had finished speaking, the members were invited to ask questions.

Martin: “What reforms under Private Family Reform would benefit children and parents?”

Commissioner: “To remove pressure on children. A fairer system for children and parents. For children to be listened to, and for respect”.

David: “You mentioned earlier about an advocacy system. Do you see this as a way forward?”

Commissioner: “Yes. Advocates or mediators should be child friendly people”.

Margaret: “If a child is caught in a position to back-up false abuse allegations, what does your organisation do about it?”

Commissioner: “At present, they have no powers as such to do anything”.

Terry: “How fair do you think the family courts are?”

Commissioner: “I have little knowledge of the family courts, but from what I have read in newspapers, judges feel that they often make mistakes and feel they can learn by them when they place a child in custody. Judges have to rely on information and accuracy of reports put before them”.

Daffyd: “Law firms and solicitors represent adult clients not children, so, who represents children?”

Commissioner: “The Children’s Commission for Wales office can appoint an independent lawyer for children”.

Gwyn: “Do you keep a record of failing social workers?”

Commissioner: “Social workers would be reported to the Care Council for Wales”.

Gwyn: “Should courts be heard in secrecy?”

Commissioner: “No, but the child’s name should be withheld”.

Martin: “As of 1st April all social workers must be registered with the Care Council for Wales, and must abide by a Code of Conduct. Employers can breach code of conduct, but don’t get sacked, and some offer a poor quality of work, so, what happens next?”

Commissioner: “We meet annually with organisations and will advise them of children’s needs. We will also report on bad practice”.

Phil: “Judges don’t enforce orders, they just make them”.

Commissioner: “Do talk with the judges, because if you don’t, things will not get better”.

Doug: “Can the Children’s Commissioner for Wales do anything about missing children?”

Commissioner: “No, but if it’s in an area that we know someone in, we could ask them to look into it”.

The Commissioner answered questions frankly and looked directly at the parents whilst answering. He refrained from using technical jargon and did not hesitate before answering questions. Answers were kept precise which enabled a number of parents to ask questions. The questions covered a diverse range of issues concerning child welfare with the Commissioner’s responses clearly having the best interest of the child as paramount; so, overall, a successful evening with fathers in particular, expressing their satisfaction with the speaker.

On Tuesday 6th June 2006, a respected Circuit Judge was invited to the FNF meeting as a guest speaker. He spoke about topics such as the enforcement of shared residence, equal parenting, shared contact, secrecy in court and mediation. As the talk was quite lengthy, there was very little opportunity for questions and answers. However, a small number of fathers were able to ask some questions:

Mark: “What are your views on shared residence?”

Judge: “Obviously, I have to work with in the law and every case is different, therefore, I have to base my decisions on the reports before me. Personally, providing the circumstances are safe and conflict free, I do not see any reason why fathers cannot be given shared residency with the mother, but one has to take into consideration the disruption this may cause to the child”.

Martin: “There is too much secrecy in the courts. I think they should be held publically”.

Judge: “I acknowledge your point of view, but the child’s anonymity is of paramount concern to me”.

Sam: “Most fathers are given weekend contact but it doesn’t always work because mother comes up with some excuse and contact doesn’t always go ahead as planned”.

Judge: “I agree that contact should be made more flexible. However, what I will say is that I do not look favourably on a parent who breaches contact orders. If an order is made, it is for a valid reason, with all said and done I have been involved in cases where I have had to reduce contact, but the reasons are always purposeful”.

Ben: “There’s no continuity in cases in court, why?”

Judge: “This is a problem, as it all depends on what judge is sitting on the day of your case. I am, at present addressing this problem, as I feel that one judge should be assigned to each case which would make things a lot easier all round”.

Mark: “I’m sorry, but I have to come back to the question I asked earlier in respect of shared residency. What will it take to make the courts realise that starting with a 50/50 legal presumption of shared residency would be a fairer way of maintaining a relationship with your child”.

Judge: “All I can say to everyone in this room tonight is, keep lobbying the government if you want the change to happen. It really is up to you all”.

The judge seemed to sympathise with non-resident fathers and realised that fathers in general post-divorce/separation do not fare as well as mothers, in the majority of cases. He seemed to want to promote equality in the family law courts, but realised that in order for change to be brought about the onus lay with non-resident parents and more organisations like FNF who need to lobby the government and become more vocal to affect these changes. Overall, an informative evening however, fathers felt that very little time was left for questions and answers as a lot more information was needed to explain the process of the legal system.

On Tuesday 4th July 2006, a senior member of CAF/CASS Cymru was invited to the FNF meeting as guest speaker. He spoke about the history of CAF/CASS since it was set up in 2001. He also stated that it was once sponsored by the Lord Chancellor’s Department, but at that time, was under the Department for Education and Skills and was divided into ten parts; although he did not comment on what those ten parts were. CAF/CASS Cymru is governed by the National Assembly and works alongside local government ministers and proposes to work with local groups. The CAF/CASS officer said that his staff are qualified social workers with various backgrounds, all of whom had to be registered in April 2005, and all of whom acknowledge under the United Nation Convention that a child has a right to access to both

parents. After quite a lengthy talk, mainly about the history of CAF/CASS, the discussion was opened up for questions and answers.

Luke: "Could you tell me why, on several occasions, I have received my report just before I have gone into court with virtually no time to put forward a defence?"

Senior member of CAF/CASS: "I can only apologise, that should not have happened".

Ben: "On several occasions I have met with my CAF/CASS officer and all she's been interested in, is discussing what my ex-partner wants, not what my children want, surely this is wrong".

Senior member of CAF/CASS: "An officer is expected to act in the best interest of the child. Have you spoken to your officer and explained how you feel?"

Ben: "Yes, a number of times but it's fallen on deaf ears".

Senior member of CAF/CASS: "I suggest you file a written complaint".

Morris: "A CAF/CASS officer was due to interview my children and I asked to be notified because I wanted to attend the interview with my ex-wife, but I have just found out that the interview went ahead without me being informed. This should never have happened".

Senior member of CAF/CASS: "You should have been notified especially if your CAF/CASS officer knew you had requested to attend the interview. If you give me your details at the end of the evening, I will look into it for you".

Mark: "I appreciate that nearly all new organisations have teething problems, but CAF/CASS seem to be having more than their fair share at the moment. How can you, as [a senior member] of CAF/CASS, guarantee that non-resident fathers will get a fair deal?"

Senior member of CAF/CASS: "I can only say that up until tonight, I was unaware of so many problems fathers have encountered with CAF/CASS, so what I propose to do is, liaise with your chairman [he looked over at the chairman], if that is acceptable, and maybe he could make a list of complaints that I will personally look into".

Fathers appeared to feel a little frustrated with the question and answer session, as they thought the senior member of CAF/CASS Cymru did not respond to some of the questions as fully as they had wanted. They appreciated that CAF/CASS Cymru had teething problems initially, but after numerous complaints by fathers, the same errors were still being made (an example of these errors are highlighted in chapter six). However, the senior member of CAF/CASS Cymru did offer to look into the complaints personally, which seemed to satisfy some fathers, but not all of them, as some felt he was making false promises. Nevertheless, it has to be said that

progress was being made to rectify relationships between CAFCASS Cymru and FNF, as, in 2008, the new Chief Executive of CAFCASS met with the Chief Executive of FNF and was impressed with the charity's work. Consultations were also being carried out between CAFCASS Cymru and FNF locally, with the Chairman of FNF being invited to a CAFCASS Cymru advisory meeting. In order for any changes to be made in the legal arena or with state welfare agencies, it is essential that negotiations with those involved, hear the lived experiences of non-resident fathers.

Barriers to involvement

A core presumption of the Children Act 1989 is that both parents should continue to have a meaningful relationship with their children post-divorce/separation providing it is safe and in the child's best interest to do so, as to deny contact could jeopardise the welfare of the child. Contact, therefore, or in some cases, lack of contact, is the very reason why fathers turn to FNF for advice, support and guidance. Throughout my observation period with FNF, the main topic of conversation when meetings were handed over to the members, concerned contact in one form or another. Contact is an issue that is viewed by most fathers as a barrier to involvement with their children, usually instigated by the mothers. Fathers often described how their ex-partners were responsible for attempting to erase them from their children's lives, a topic which has been researched by Hunt (2003) and Hunt and Roberts (2004). These barriers often involved mothers making false allegations of domestic abuse, making excuses as to why fathers' could not have their children on 'hand-over' days, taking children out of the country to live on a permanent basis and obstructive parenting. Obstructive parenting in this instance refers to fathers' accounts of how their children were turned against them due to mothers' verbally discrediting fathers in front of the children, but false allegations of domestic abuse was the main reason fathers' cited for prolonging contact:

Derek: There were false allegations of abuse made against me, um, which obviously, I would never have stayed in contact once those allegations were made. I never had contact alone, I had contact in an observation centre with the social services...and then I had supervised contact with a court welfare officer present, and a court welfare officer in a contact centre...I spoke to an organisation that existed at that time, it was called PAIN, Parents Against injustice or something, about false allegation being they of a physical or sexual nature, em, and apparently, it is quite common that these allegations are made...but at the time you think to yourself that it's the worst thing that's happened to you, but you discover apparently, subsequently it is often used as a mother's last resort as a means of stopping, um, contact...from that point on the clock stops and you then have to go back to court cases, court welfare

officers and everything else, before you then get a chance to see the child , and then eventually you see him supervised, and then hopefully contact will expand, and it never did from that point.

Derek's situation sums up what most fathers who have experienced false allegations of domestic abuse articulated. Of the twenty five fathers interviewed, eight experienced false allegations against them (copies of police and court reports were passed around the group as evidence). A number of other fathers who attended the meetings, who were not interviewed, also experienced false allegations of domestic abuse, and as Shane commented: It's as if we are all singing from the same hymn sheet. According to Parity (2011) false allegations of domestic abuse in the family courts are difficult to defend and can be insufficiently investigated by the courts or court welfare officers, as outcomes are based on a 'balance of probabilities' and not necessarily on a burden of proof. It is also reported that statistics on defendants on the Home Office Court Proceedings database convicted of offences relating to the making of false allegations of domestic violence, are not collected (Mactaggart, 2005). False allegations of domestic abuse can have a detrimental effect on a parent and children if that parent is removed from the marital home as a result; therefore, tougher sanctions need to be implemented in the family courts in order to deter any parent from making such allegations.

Another barrier to involvement which was reported by fathers as a common occurrence, was when fathers went to collect their children on 'hand-over' days, they found that when they arrived at the 'hand-over' destination, the mother would either phone the father to cancel contact making out the children were ill or at a party, or mothers would not show up with the children. A typical example of this kind of scenario is as follows:

Mark: The one thing that certainly came up in my case and it was coming up regularly, was, ex-wives or partner's using children's birthday parties to say "Oh you can't see your kid this weekend, he's been invited to a birthday party". Well, how do you deal with that because obviously you want your children to enjoy the fun of going to a birthday party, but of course the simple answer is that, if the children are spending time with you, it should be your decision whether they go and you take them and pick them up...but then it was not only used as a way of cutting down your time with your child but...it's another way of excluding you from an aspect of your child's life.

As well as these two barriers, one father explained how his contact was drastically reduced when his ex-partner moved out of the country to live on a permanent basis. Gary was very distraught at a meeting when describing his situation. His eyes filled up and he could barely speak, taking occasional gulps as he tried to compose himself when conveying to members the

events leading up to when his ex-partner attended court for the final time in this country, before being granted permission by a family court judge to take the child to reside in a different country:

Gary: I know you can't stop people travelling, moving away with jobs what have you, but she wangled it in such a way, she sold her house, moved in with her parents, made out she was going to be made homeless because her parents were relocating, but they were actually retiring...the judge literally rolled out the red carpet to her, and asked her what job she did. "Oh, you'll have no problems getting a job" when she told him she was a nurse...I was so traumatised by everything...the whole idea of going [to a different country] was to cut me out of his life.

Members sat in silence as Gary described his situation. A few fathers shook their heads in disbelief, but two fathers at the meeting had experienced similar situations. Gary was offered both practical and emotional support from members, in the hope that he would eventually be granted increased contact.

Parental alienation is not legally recognised in the UK (therefore, I have used the term 'obstructive parenting'), but fathers have referred to it as a situation in which the parent with whom the child lives (usually the mother), is perceived as having turned their child against the other parent (usually the biological father), resulting in the child rejecting all contact with them, an issue which Day-Sclater and Piper suggest arose in the 1990s with the "development of the 'implacably hostile' parent and the parent who 'alienates' the child's affection for the other parent" (1999:62). Obstructive parenting was perceived to be experienced by some fathers at the meetings; Terry summed it up as:

One of the biggest problems is the negative influencing of the parent who's got the care. They can turn the child against the other parent very quickly, I'm talking within a matter of months they can make that child fearful, and want nothing to do with the other parent.

Another father who experienced obstructive parenting commented:

Derek: There was a second visit to the contact centre where his step-father brought him and he wouldn't get out of the car. So the court welfare officer and I went to the car to try to persuade [my son] to come out, and then he came out with things like, he was going to kick or bite me because "mummy said I could kick you or bite you". So you think to yourself...this is the evidence here...of the turning of the child you know, by the mother...those times parental alienation syndrome wasn't quite so well known or accepted as you know, a means to an end by generally, mothers.

Derek's experience emphasises the fact that both the father and the court welfare officer witnessed the young boy, who was only of primary age, state that the mother sanctioned physical violence, and in hindsight seemed to promote non-contact. On the other hand, another example of obstructive parenting was witnessed by a father who arrived at the former marital home to see his son, only to find that the mother was attempting to prevent father-child contact:

Mike: I've been up to the property on a number of times to see my son, my youngest son through the window, and I've heard her shouting at him, "get in here, don't let him see you"...I don't really know what's going on, don't know what's going to happen...it's been nine weeks now. Is it going to be another nine weeks?

Under a different set of circumstances, another father was prevented from seeing his son by his ex-wife, and as the son lives with his mother, the father felt that he was being heavily influenced by her in a negative way, to the point whereby the son now refuses to have contact with his father. Fortunately, at a court hearing the judge could see what was happening, and warned the mother that what she was doing could rebound on her later in life. All fathers felt that obstructive parenting should be legally recognised as a barrier to child contact and are in agreement with Alex's view that:

The courts clearly don't want to understand about parental alienation syndrome, they use the words implacable hostility, but they do not seem competent to handle the realities of hostility and effectively, do what they should be doing in terms of making a judgement.

With reference to alleged parental alienation, the courts recognise that some parents adopt obstructive measures to prevent their child having contact with the non-resident parent; however, these cases can often be difficult and complex and therefore, must be judged sensitively and on their own merit (Clayton, 2012). The above analysis has focused on some of the barriers which limit, or in some cases, prevent father-child involvement. Post-divorce/separation is a complex process for both parents, especially where children are concerned. Feelings of loss, guilt and anger need to be recognised by professionals and support offered to parents in order to come to terms with such a traumatic event, so that legal attempts to facilitate positive outcomes for children and parents can be attained.

Identifying Additional Support

Whilst observing fathers at their monthly meetings and listening to their conversations, I gained a detailed understanding of the complex conditions associated with post-divorce/separation parenting. All fathers attending FNF had experienced conflict in one form or another throughout the divorce/separation process. What many fathers described as ‘hands-on’ fathering prior to divorce/separation was reduced to part-time or financial fathering post-divorce/separation and had a profound impact on fathers emotionally. This issue is highlighted by Collier and Sheldon who state that “the failure of the law to accord fathers equal contact time with their children is perceived as a psychological injury relating to many men’s sense of their worth, not just as father, but also, importantly, as *men*” (2008:167). So far, this chapter has focused on the dynamics of FNF and why fathers felt the need to join such a group. It provides a snapshot of the types of support the group offers its members as well as the barriers fathers face whilst trying to maintain a meaningful father-child relationship. Regardless of the numerous and diverse range of support FNF offers its members, fathers felt that help and support was lacking from the government and other service providers, especially with regard to non-resident fathers. Therefore, the general consensus amongst the members was that fathers are accorded secondary importance to mothers.

Lack of help and support by service providers and the government was an issue that was frequently debated at the FNF meetings. Areas where fathers felt extra help and support was needed fell into three main categories; government agencies, professional help and the legal arena. In respect of government agencies, the areas of help and support that fathers felt were lacking, were in child benefit as Mark comments:

I think um, in a practical sense, the greatest benefit for agencies like the DSS in terms of child benefit. All the time I have my son to stay with me...even now as a resident parent with shared residence um, the child benefit goes one hundred per cent to mother...now as far as I’m concerned, the money should follow the child, so in a practical sense, things like that.

According to Gov.uk (2015c) only one person can receive Child Benefit for a child; in cases of separation/divorce, the parent with care will receive the child benefit. With regard to cases of shared care, parents can either make a joint decision regarding their finances; or, if the CMS is involved, the CMS will contact each parent and ask them about their care arrangements. Based

on the information gathered, the CMS will then take into account the paying parent's weekly amount of child maintenance, divide it between the number of children they pay maintenance for and then reach a figure based on the number of nights of shared care for each child (CMS, 2013).

Another area is that of social housing, as Matt explained:

Well, decent social housing for non-resident parents is something that is a priority in my mind...because your children won't want to stay with you if you don't have adequate accommodation.

There also seemed to be a lack of help and support in a professional capacity, especially from an emotional point of view. As Gerry points out:

My main thing, I think, would be like a specialist or professional counselling service of some sort that's specifically for non-resident fathers. That would be a massively beneficial thing to have, as it seems to be the main area where the support is truly lacking at the moment.

To date, FNF recognises the need for emotional support and now advertise on their website the services of local counselling support groups such as Divorce Support Group (DSG), the only professionally run UK support organisation providing individual counselling to all individuals in an effort to help them cope with the emotional and psychological impact of separation and divorce (DSG, 2015). A further concern which affected a number of fathers in this study was that of female perpetrated domestic violence. It was the fathers' perceptions that, unlike women, recognition of men as victims of domestic abuse is minimal and their complaints were not being taken seriously by the local authorities. As a result, very little help and support was being offered to them. As Malcolm remarked: I would like more support on domestic violence issues for dads...I would strongly, strongly love one to be up and running that I could access personally.

Lack of help and support seemed to be most prominent in the legal arena with a diverse range of areas that fathers felt needed highlighting. Gerry suggested: Open courts and proper legal support before the first full court hearing.

As of April 2014 a single Family Court was created which will enable divorcing couples to make their applications to the Family Court, rather than have couples deliberate over a

magistrates' court or county court when deciding where to make their application. Each Family Judge area will have a Designated Family Centre where a divorcing couple's case will be allocated to an appropriate level of judge (Royce-Greenshill, 2014). Also, in 2014, the Department for Work and Pensions took responsibility for implementing policy designed to promote relationship support in an effort to prevent family breakdown, rather than pick up the pieces later. Between 2010 and 2014 the government invested £30m on preventative relationship support which have resulted in 160,000 people accessing the support; with 48,000 couples participating in relationship counselling and over 12,000 practitioners trained to help families in difficulties (DWP, 2015b).

Peter specified:

The only real thing is for the system to be changed, isn't it? Family court system to be speeded up and for there to be recognition that parental alienation exists.

Since the implementation of the Children and Families Act 2014, the introduction of a 26 week time limit for care proceedings is in place, to reduce the excessive delays in these cases and give greater certainty to the children involved (Ministry of Justice, 2014b).

Colin pointed out:

I think the support you get from the government agencies is very little, so perhaps the government should be looking at ways in which to help non-resident parents...Legal Aid should be more lenient and have some sort of scheme in place for people who just miss the qualifying figure.

Unfortunately, since the implementation of LAPSO in 2013, the provision of legal aid for most children and finance matters in private family law cases is only available where a client has specific evidence in relation to domestic violence or child protection (Legal Aid Agency, 2014). Therefore, it is too early to access the long term impact of this change in the law on those seeking financial provision after a family breakdown.

More emphasis on parental responsibility when dealing with GP's, schools, dentists and health visitors was also seen as an area which needed to be tackled, as fathers found it difficult to obtain school reports and health records being the non-resident parent. Therefore, as Ben suggested:

Getting GP's, schools and health visitors to realise that, as a non-resident parent, you still have parental responsibility and that means you can access your child's records as well as the mother, and act in your child's best interest.

Many fathers found that when they went to collect their children for weekend contact, the mother either refused contact or made some excuse as to why the children could not visit, so, stricter control over deceptive ex-partner's was a further area that needed to be looked into, as Phil commented:

Any mother that breaches a court order should be given a caution at first by the judge, but if it happens again the mother should be punished in some way. If the boot was on the other foot and the father breached an order, the judge would clamp down on him straight away. The resident parent should not prevent the non-resident parent from having contact with their children.

At the time of my fieldwork, parents were advised to attend mediation to resolve issues regarding child welfare and contact, but it was not compulsory. Fathers felt that mediation would have been beneficial if only their ex-partner's had agreed to participate. As Terry exclaimed:

I asked for mediation...I brought this up in court time and time again and the judge rightly said 'we cannot order mediation'. Perhaps that's another thing we need to re-look at again. You know, in law you can't order mediation, well, we've got to have something in place.

Terry's quotation above is a prime example of how current policy has changed over the past six years. When conducting my fieldwork, the general consensus from fathers' was that mediation should be made mandatory and in 2014, MIAMs were made mandatory in the hope of encouraging mediation. A further concern for some fathers was that of a 50/50 legal presumption of shared parenting; as Sam commented:

Well, I think the legal system, especially the courts, have to enforce the fact that both parents matter and that they are both equally important in the child's life, and the only fair way to do that is for the family courts to start off with a 50/50 legal presumption of shared residency or shared parenting.

Again, in 2014, a presumption of shared parental responsibility came into force; however, the Children and Families Act 2014 does not specify how much time the child is to spend with each parent; reinforcing the expectation that generally, both parents are jointly responsible for their children's upbringing.

The fathers in this study demonstrated their commitment to maintaining on-going contact with their children even though, for some, contact had been denied by the mother. It is evident from the above discussion that more support is needed for parents, especially for non-resident fathers in conflicted relationships. Custodial parenting promotes an imbalance in the way parents exercise their parental responsibility and parental care. As a result, some non-resident fathers felt the need to attend FNF in order to obtain help, advice and support so that they could sustain a father-child relationship.

The impact of FNF in helping to redefine its members fathering identities

The preceding analysis has focused on the implications of non-resident fatherhood in conflicted relationships, by focusing on the effects of legal and state welfare institutions and the significance of FNF for its members. These issues have demonstrated that non-resident fathers pre-divorce/separation have had to construct, and post-divorce/separation reconstruct their fathering roles, where they have, at most, minimal contact with their children. But from my research, it was also evident how FNF as a group has helped its members to redefine their fathering roles, as fathers find themselves parenting from a distance. When fathers were asked during their interviews if FNF had, in any way, impacted on their sense of fatherhood, nine men said that it had not directly impacted on them because they had never initially lost their sense of fatherhood, but it had helped them in other ways. The remaining fathers, however, were clear about how FNF had impacted on their sense of fatherhood in positive and diverse ways. Those fathers, who said FNF had not explicitly had an impact on them, also commented that:

Lewis: Ah, I don't think so. I think FNF, the involvement with FNF, has been more on a practical and an emotional support level. I've always, as an individual, been very, very clear about my role as a father and you know, what's happened in the last five years has very much been just me trying to sort of get back into the children's lives and being able to play as much a part of it as I can, as I was, prior to the separation.

Mark: I think the answer's no there because I don't think I ever lost my sense of fatherhood. If I had, I wouldn't have gone to court to fight to be a father. I don't believe I ever actually lost my sense of fatherhood. I think I've become frustrated with the whole system that seems to want to reduce or

diminish my idea of what the sense of a father is or the role of a father is...because I'd like to think that I've been a positive influence in the life of my children...but also that I've been a good father...

Matt: No, my outlook on fatherhood hasn't changed, just the fact that I'm not able to carry out my fathering role fully.

The three quotations above are illustrative of how fathers remained committed to maintaining a positive role in their children's lives, irrespective of contact on a part-time basis. It is evident that they have never lost their sense of what a father means to them, and want to remain committed to their children, physically and emotionally. Lewis, Mark and Matt's fathering role has been reduced due to contact orders from the family courts, but their determination to be good fathers and to sustain a father-child relationship remains a priority.

More broadly, fathers saw the benefits of participation in the group and expressed their opinions as to why FNF had a positive impact on their sense of fatherhood by focusing on equal parenting:

Patrick: To be honest, yes, because I guess I hadn't really thought about fatherhood until um, divorce. When you're in a relationship you have a role as a parent first and foremost, and FNF kind of makes you focus on the fact that you're a father and what that means and what you need to do and how FNF can help you achieve that.

Alex: Yes, I think it has helped yes, just to realise the importance of the emotional side, that children need both parents, both father and mother, and that they have got an important role to play...it's important for both parents to be involved in their children's lives.

Keith: Yes, I think being involved with FNF has made me a stronger person mentally and this can only be a good thing, as this will make me a better father. I also realise now, through attending FNF that it's the children's welfare that's most important and that it's important for both parents to be fully involved in their children's lives.

Each of the above quotations focuses on the importance of both parents in children's lives, which is what FNF promotes nationwide. Fathers did not speak in terms of fathers' rights or mothers' rights, but emphasised the importance of the role as a parent, irrespective of gender. FNF supports its members in a number of ways with each member playing a part in the support system. Three fathers spoke of the way in which FNF impacted on their sense of fatherhood in a practical sense and their comments seemed to echo a general consensus among all fathers. As Gerald commented:

Well my sense of fatherhood has always remained, however, by attending FNF meetings my determination to fight for my rights as an equal parent has definitely been reinforced.

Gerald received help with legal issues which boosted his confidence, and as a result he felt more positive in the judicial arena. Similarly, Dave remarked:

FNF have been really great with the support they have given me, apart from helping me emotionally, there is also the practical side of it...I do now have a certain degree of hope that I may eventually gain a reasonable amount of contact with my children knowing that I have a growing army of similar people behind me.

Dave's views highlight the enormity of being a parent in a conflicted relationship, but he also stresses that with FNF's help there is light at the end of the tunnel. Malcolm also shares the same viewpoint as Dave when he articulated:

Malcolm: I would argue that it's in a positive way...I am not alone. I don't feel isolated when I'm at the group meeting because I am socialising with other dads who maybe in a worse set-up or equal position to that of myself.

Together, Gerald, Dave and Malcolm's comments emphasised the importance of the group in promoting a sense of well-being and the sharing of experiential knowledge.

So far, I have quoted the lived experiences of non-resident fathers, but during my observation period I was afforded the opportunity to witness first-hand, fathers' physical actions and emotional well-being from the first time they attended an FNF meeting up until the day the observation period was completed. The findings revealed a general pattern in the way fathers spoke and interacted. Initially, when fathers first attended meetings they spoke in negative terms which echoed their emotional state, such as, anger, anxiety, guilt, depression, and frustration. Their body language displayed signs of negativity, with heads bowed, fumbling fingers, fidgeting in chairs, minimal eye contact, and covering their faces with their hands to name but a few, but subsequently, through interaction with other fathers experiencing similar problems, and with the practical and emotional support of members, they began to speak in a more positive fashion. The terms they used such as, 'more determined', 'less isolated', 'self-belief', a 'stronger person', 'better father' and 'more confident', were far more positive than those used in the earlier meetings. Body language also improved as fathers mingled more with others, used eye contact, became chattier, smiled and leaned towards others when talking.

From my observation, I felt that the effectiveness of FNF as a group promoted members' personal and interpersonal dynamics through expressions of emotions, developing social relations with other group members, improving understanding and knowledge through the dissemination of information, and enhancing members' decision-making skills. All these factors seemed to generate a sense of personal empowerment for non-resident fathers, and with the group as a whole being able to tackle individual problems by rallying peer support. In other words, mutual help being provided by fathers to other fathers with similar problems. This issue is highlighted by Mok (2002, 2004), who argues that benefits acquired from self-help/support groups result from the opportunities the groups provide, and to expand members' association with others who struggle with the same problem. In the case of non-resident fathers in this study, the main issue was part-time contact, or in some instances, absence of contact. It was often the case that fathers who attended the group on a regular basis and who were there at the start of the observation period, offered help and support to fathers who were attending FNF for the first time, as the older members had considerable knowledge of the legal system due to their participation in the legal arena and with government agencies, and were therefore, in a better position to offer help and support to the new members.

All fathers attending FNF had undergone important transformations during the course of the group meetings personally, financially and emotionally. The group as a whole was able to offer practical and emotional support to members in an attempt to alleviate or reduce some of the problems fathers faced when trying to redefine their fathering roles post-divorce/separation by providing a safe venue for fathers to express their concerns and display their emotions with like-minded individuals without fear, shame or recrimination. From a personal perspective, fathers had gone from being full-time parents to part-time parents. From a financial perspective, fathers had to move out of the marital home and were therefore expected to re-house themselves whilst also having to pay legal costs and child maintenance. From an emotional perspective, the difficulties fathers encountered in their attempts to construct feasible fathering roles post-divorce/separation resulted in most fathers experiencing high levels of stress, depression or in some instances, contemplating suicide.

Whilst observing the group, certain characteristics seemed prevalent during the members' discussion time which signified the way in which the group, collectively, helped fathers

redefine their fathering roles through hope, belonging, support, coping methods and experiential knowledge. Most fathers attending the group for the first time appeared despondent and apprehensive for two main reasons. Firstly, they were experiencing relationship breakdown and very often did not know where to turn for advice and support on non-resident parenting; and secondly, they had no idea how the group operated or how the group could help them. However, towards the end of the meetings, after participation in the group discussions, it seemed apparent that hope was instilled after fathers realised that group intervention could help them improve their situation, thereby enhancing their overall feelings of subjective well-being.

A sense of belonging seemed to improve morale when the men realised at the meetings that there were other members there that were 'in the same boat'. Many fathers described feeling isolated after their relationships had broken down, but after conversations with others in the same situation as themselves, and the realisation that problems were not unsolvable, morale seemed to improve. Schiff and Bargal suggest that "individuals in such situations ask themselves whether these feelings are normal" (2000:281). Fathers at FNF questioned whether or not they were the only ones experiencing certain problems, but through discussion realised that others were experiencing or had experienced similar problems in the same situation, thereby boosting feelings of positivity.

Support seemed to be the primary objective for attending the group, with practical and emotional support being the two major sources most frequently mentioned by fathers that they both received and gave. Practical support was demonstrated in the form of letter writing, help with filling out forms and offering advice and guidance, whereas emotional support was given by members displaying empathy towards others, (usually involving giving up their personal time), and expressing a genuine interest and concern for those that needed help. Personally, support seemed to be the key determinant that ensured the groups' survival and was the one thing, according to most fathers, that made the difference between fathers staying involved in their child's life or being cut out of their child's life.

When fathers attended FNF meetings, especially for the first time, they often described their role as a father in negative terms. Thus they spoke of having a 'reduced role as a father', of going from 'full-time parenting to nothing at all', of their 'fathering role destroyed', and changing from 'primary carer to non-existent father', to name but a few. Many fathers described how their coping methods failed, especially from an emotional point of view using the terms, 'devastated', 'difficult', 'world fell apart', 'traumatised', and 'depressed'. These terms were often articulated when fathers were describing the difference between their roles pre-divorce/separation when they were actively involved on a full-time basis in their children's lives, compared to their roles post-divorce/separation when that role was reduced to parenting on a part-time basis, or in some cases, not at all. Fathers attending FNF described how the group helped them acquire new coping skills, thereby assisting them to redefine their fathering roles, by putting fathering into perspective, by helping them both practically and emotionally to face the challenge of being a non-resident parent, and by helping to boost fathers' self-confidence and determination by stressing the importance of both parents in their children's lives irrespective of the amount of time a non-resident father spends with his children. Once fathers acquired new coping methods, again, there was a heightening of morale and a general satisfaction with the group as a whole.

One of the most noticeable aspects of the group was the value fathers placed on the conveyance of experiential knowledge among members. Experiential knowledge in this study is referred to as fathers' own subjective perceptions of event, information and encounters they personally experienced, and believe is of value to, and may benefit other members, when shared. At every meeting, there were always fathers willing to share information and wisdom they had gained from their own experiences of divorce/separation in the hope that it would benefit other fathers, even to the point where the more knowledgeable fathers would stay behind after group meetings to offer their help and support to others. The Chairman of the group, whose experience in dealing with the legal system spanned over eleven years, was perceived by many members as an expert and someone the group held in high esteem due to his ability to help fathers alleviate, or in some cases, solve their problems. It was evident that his dedication to the group indirectly influenced many fathers' subjective well-being. Overall, the above mentioned characteristics contributed to fathers' satisfaction with the group and promoted regular attendance at meetings. From the ethnographic work, the data illustrates that as a forum for fathers to share their experiences, FNF had a positive impact on the way in which it helped

non-resident fathers redefine their fathering roles, even though this impact manifested itself in diverse forms as mentioned above.

Conclusion

The beginning of this chapter looked at the dynamics of FNF and how the structure of the meetings changed when a new venue was sought and the group was appointed a Patron. Meetings became more structured and professionalised compared to the informal meetings at the old venue and as a result fathers felt there was less time to discuss their cases, which meant a reduction in the time spent supporting fathers in a practical and emotional way. FNF also saw a rise in female members, with females making up half the percentage of committee members, adding some evidence to FNF's assertion that it is a gender-neutral charity which promotes equal parenting.

The chapter then proceeded to focus on the reasons why members joined FNF. Among the main reasons people joined was to secure help, advice, guidance, information and support. A number of fathers articulated that they had nowhere else to turn as there was little help from the legal system or welfare agencies for non-resident fathers. After attending the meetings all fathers welcomed the support network that FNF offered resulting in a definite, positive transformation in the way fathers spoke and interacted as they became more confident in understanding how the legal system operated as their individual cases progressed. The chapter went on to discuss father-child contact that was either limited or prevented by a diversity of barriers. It seems apparent that these barriers are quite common in conflicted relationships and are often the result of a traumatic divorce where parents have not been able to fully come to terms with their feelings of loss, guilt and anger post-divorce/separation. All fathers in this study had experienced barriers to involvement in one form or another, with the main issues being that of false allegations of domestic abuse and obstructive parenting. In order to reduce or eliminate these barriers, parents' emotional feelings need to be recognised by professionals at an early stage in the separation process, and support offered in an attempt to facilitate positive outcomes for parents and children alike.

With most fathers' parenting time being reduced to a part-time basis, fathers felt that help and support was lacking by the government and service providers respectively. Although the state acknowledges the crucial role fathers play in their children's upbringing, it fails to recognise the complex renegotiation of fathers' roles and their needs post-divorce/separation. With mothers in most cases post-divorce/separation being the parent with care and the one with the most parental responsibility, fathers felt that they were accorded secondary importance to mothers, and for many fathers in this study who considered themselves as 'hands-on' fathers pre-divorce/separation, the very fact that their role had been reduced and the failure of the law at that time, to enforce a presumption in favour of shared parenting, left many fathers feeling worthless and unimportant not only in their children's lives, but as men. Nevertheless, this in no way prevented fathers committing themselves to sustaining a meaningful father-child relationship.

The latter part of the chapter focused on the impact of FNF in helping its members to redefine their fathering role. During the interview period, nine fathers exclaimed that FNF did not actually have a direct impact on their sense of fatherhood because they all had a clear idea about their fathering role and saw themselves as positive role models. The other sixteen fathers nevertheless, conveyed that FNF did impact positively on their sense of fatherhood, albeit in diverse ways. However, during the observation period, I found that all fathers benefited from the practical and emotional support the group as a whole offered through active participation. Most fathers achieved positive outcomes in areas of interpersonal relationships and social networking, thereby improving their personal feelings and subjective well-being, which in turn, demonstrates the way in which FNF helped its members redefine their fathering roles.

During the divorce/separation process their sense of fatherhood is impacted upon by legal and welfare agencies, which often portray non-resident fathers in an economic capacity rather than focussing on their caring responsibilities and their nurturing capabilities. Nevertheless, the help and support fathers received by attending FNF helped them to redefine their fathering roles whilst supporting the promotion of equal parenting and acknowledging that both parents are equally important in their children's lives. Regarding this thesis, when a relationship involving children breaks down, parents experience a number of transitions which in turn, impact greatly on their roles, responsibility and emotions. For the fathers in this study, these collective

transitions are part of the divorce/separation process, but experiencing conflict, is the main reason why they turned to FNF for support.

Conclusion

The Centre for Social Justice (2013a) suggests that around one million children in the UK grow up with no contact with their father, therefore, is there any scope for equality in post-divorce/separation parenting? An expansion of divorce literature, an array of legal and state welfare agencies and policymaking bodies have clearly identified divorce as a major social phenomenon and family transition during divorce/separation as an important issue. At the same time, men's issues, particularly the father-child relationship have become a source of considerable public concern with fathers' levels of child care involvement and emotional investment being seen as fundamental to a child's welfare.

This thesis focused on non-resident fathers who attended the support group Families Need Fathers in South Wales, with a primary emphasis on their perceptions of how they construct and, following divorce, redefine their fathering roles where they have, at most, minimal contact with their children. This research study focused on the following three questions:

1. How do fathers construct, and following divorce, reconstruct their fathering roles where they have, at most, minimal contact with their children?
2. How do fathers' experiences of interacting with legal and state welfare institutions affect their sense of fatherhood?
3. How does the support group Families Need Fathers help members redefine their fathering role?

At present, there is a sparsity of academic literature that focuses specifically on the perspectives of non-resident fathers in conflicted relationships, all of whom are members of the support group Families Need Fathers. This thesis is able to contribute to that knowledge, by offering an insight into how this particular group of fathers paint a very different picture of the divorce/separation process in comparison to the majority of men that are able to successfully negotiate a parent/child relationship post-divorce/separation.

Much has been written on the divorce process itself, but gaps in the literature include such issues as: How do fathers in conflicted relationships reconstruct their fathering role whilst parenting from a distance? How do they adapt to part-time parenting? How did the relationship with their ex-partner become so conflicted that they both had to resort to involve the legal arena over child contact issues? This research attempted to address the gaps in the literature by focusing on three specific areas; fathering roles pre- and post-divorce/separation; fathers' perspectives on interacting with legal and state welfare agencies, and fathers' perspectives on the support they received from FNF throughout their divorce/separation process.

Contribution to knowledge

The evidence from this research suggests that fathers' roles pre-divorce were 'taken for granted' and very little consideration was given to fathering practice. However, post-divorce/separation when contact with their child(ren) was reduced, fathers' became more aware of their roles and attempted to cram as many activities as they could into the time they had with their child(ren). For many fathers this was the first time they had spent 'quality' time with their child(ren) on a one-to-one basis. Contrary to this, during contact, many fathers found it difficult to discipline their children for fear of the child not wanting to spend further time with them; they also provided them with gifts and money in an attempt to make up for 'lost time' and found it difficult to make decisions regarding, for instance, having the child's hair cut without prior consultation with their ex-partner. The evidence implies that adapting to part-time parenting in a conflicted relationship is not without its drawbacks. This thesis offers fathers' perspectives of their fathering roles and the extent to which their roles frequently needed to be renegotiated post-divorce/separation; an area that is currently lacking in academic literature.

The data suggests that most fathers in this study saw the intervention of legal and state welfare agencies as impeding on their sense of fatherhood. The general consensus was that the legal arena was unfair and biased, a statement shared by Dolan (2014) who works for a leading legal firm in London, who has many years of experience in the courts. Dolan commented that "I have acted for several fathers, for example, who have unarguably been the primary carers of their children but have seen their contribution undervalued almost as a matter of course, with the court deciding the children should live with their mothers after divorce. And when it comes to

spending time with their children, the message is clear: women and children first” (2004). Nevertheless, perceived bias in the family courts have been fiercely contested by the Ministry of Justice and the Department for Education (2012) who stress that there is no in-built legal bias towards the father or the mother, and children should have a continuing relationship with both parents providing there are no significant welfare issues; hence, the implementation of the Children and Families Act 2014. That said, prior to the Act being enforced, fathers’ failed to appreciate at the time of this study, that in all cases, they were awarded some form of contact; no father had been denied contact. Conflicted divorce cases are time consuming, an issue which fathers’ were displeased with, but, when parents cannot reach an agreement over child contact it is vital that the Court acts in the best interest of the child regardless of the timeframe therefore, lengthy and costly procedures are inevitable.

Families Need Fathers was seen as a vital source of support for non-resident fathers. It provided them with a comfortable environment where they felt they were able to discuss their problems with others experiencing the same issues. The group provided educational and emotional support to its members as well as free legal advice by an experienced lawyer. Overall, this particular group emphasised the importance of both parents in a child’s life irrespective of the conflicted relationships with their ex-partners.

The research has revealed that the impact of divorce on non-resident fathers, particularly those who had a relatively high involvement with their children pre-divorce/separation was both mentally and physically evident, with many fathers in the study experiencing a high level of distress even several years after divorce/separation. Although non-resident fathers underwent a number of transitions during divorce, the reduction in contact time with their children and, in some cases, the loss of the father-child relationship was identified as the most salient. Therefore, fathers’ general consensus at that time, was that with policymakers stressing the importance of both parents in their children’s lives, there was a need to move beyond maternally based divorce practice and intervene more effectively in helping both parents maintain meaningful relationships with their children and at the same time encourage parental co-operation (issues that will be discussed later in this chapter). This chapter will now proceed to summarise key points made in earlier chapters before addressing the implications of this research and its contribution to knowledge, by demonstrating how research conducted in 2005-

2008 is still significant in illustrating the struggles, emotional, financial and transitional issues, faced by fathers post separation, in light of extensive changes to current family law policy and practice.

Family life and family support

Chapter One examined deep anxieties about the family as a moral domain, by investigating how traditional male and female roles were being challenged by certain structural occurrences and social changes. Increases in divorce, re-marriage, post-divorce/separated families, single parenthood, co-habitation and dual earner families all contribute to a rising ‘postmodern family’ diversity that is undermining the conformity of traditional family values (Chambers, 2001). In Britain, the most prominent policy debate seemed to have focused on a decline in parental responsibility and the “‘inadequate’ socialisation of children due to high levels of family breakdown” (Chambers, 2001:145). With a rise in divorce rates and co-habitation, single mothers and one-parent families became political scapegoats and were seen as the cause of a collapse of the moral infrastructure in society (Chambers, 2001). With marriage declining, a succession of moral panics about the ‘crisis’ of the family surfaced; family policies became increasingly centred on children, and, as such, the emergence of the Children Act 1989 was seen as a focus of child protection.

The 1980s and 1990s saw non-resident fathers become a growing focus of policy concerns, particularly in relation to family law and child support (Featherstone, 2004). Non-resident fathers were viewed as evading financial responsibility for their children, and, as a result, the Child Support Act (1991) came into force and targeted non-resident fathers for maintenance payments for their children (Hill, 2003). There was a need for the Government to reduce the welfare dependency at that time, as 330,000 lone parents were claiming income support in 1980 and this rose to 770,000 in 1989; only 22% of these parents were claiming child maintenance (Nutt, 2006). Therefore, the introduction of the CSA was a means of ensuring non-resident parents’ honoured their financial responsibility to their children. The legal system which once gave fathers absolute rights over their children prior to the nineteenth century, now adopted a more egalitarian stance whereby both mothers and fathers are seen as sharing parental responsibility for the welfare of their children.

The late twentieth century saw policymakers become more receptive to the notion that fathers' matter (Collier, 1995a). A number of key government policies were introduced to help promote, support and strengthen family relationships as a result of the continuous reinvention of the modern family during social change. Given that children are the central concern of family practices, parenthood as a form of caring and nurturing, remains a key issue within the desire to forge 'post-patriarchal' family relationships (Centre for Social Justice, 2013b). However, within post-divorce/separated families, parenthood is likely to constitute an on-going site of practical and emotional turmoil, as relationships endure a number of transitions whilst under the immense pressure of balancing work, childcare, home and finance (Relate, 2013).

Rights, responsibilities and child welfare

Chapter Two analysed the impact of legal and government agencies on non-resident fathers who were experiencing conflicted relationship breakdown. With emotions often running high post-divorce/separation, parents are not always able to act in a rational manner, which was evident with most fathers in this study. Therefore, having to renegotiate their parenting role, and communicate with an ex-partner over the welfare of their children, proved difficult. This resulted in fathers having to interact with legal and welfare agencies to seek agreements regarding child contact and financial matters. The beginning of the chapter focused on the way in which the law establishes and governs the responsibility or accountability that emanates from family relations. In the case of divorce, there is an obligation on the part of the resident parent to permit contact with the non-resident parent, based on the belief that children are generally best looked after with both parents playing a full part in their children's lives (Great Britain: Children and Families Act, 2014). Parental responsibility, an underlying principle and fundamental concept of the Children Act 1989 (Hoggett, 1993), stipulates that parents share responsibility for their children even post-divorce, providing it is in the best interest of the child to do so. However, the Act fails to recognise the emotional impact that divorce/separation has on the parents, and as such, not all parents are able to make rational decisions regarding the welfare of their children, or adhere to court orders, often resulting in the commencement of legal battles in the family courts.

The chapter then proceeded to review the literature on the legal and state welfare agencies that, in many cases, become involved especially when inter-personal conflict arise over matters concerning contact and with whom the child resided. The following section will refer to family policy at the time of this study, before discussing how current policy reflects major changes to the legal and state welfare agencies. When I was carrying out my research, many separating/divorcing parents were referred for either in-court conciliation with a reporter employed by the Families Court Advice and Support Service (CAFCASS), or out-of-court mediation with an independent mediation service. However, fathers in this study were under the impression that CAFCASS encountered many teething problems and, as a result, some fathers were allegedly put in a disadvantaged position before their cases even commenced. Even though there was written evidence at the meetings to suggest that in some instances, this was the case, it must be pointed out that CAFCASS carries out invaluable work to keep families together whilst working in the best interest of the child.

Alternatively, out-of-court mediation was offered to conflicting parents in the hope that they were able to reach an amicable agreement over contact and the welfare of their children post-divorce, away from the judicial environment. There was a general consensus amongst fathers in this study that mediation should be made mandatory, as many fathers in this study who agreed to attend mediation in the hope of reaching an agreement over child contact, were unable to do so, as their former partners either declined the offer or dropped out of the sessions. The whole ethos of mediation is that it takes the emphasis away from the judicial arena, in order for parties to reach a viable agreement in an impartial environment. However, mediation was not without its drawbacks, as agreements reached could be breached by either party as they were not legally binding at that time and are still not legally binding.

Prior to the changes brought about by the Children and Families Act 2014, it was suggested that referrals to publically funded mediation was in decline (Somers, 2014). One of the reasons for the decline was cited as the implementation of LAPSO resulting in the withdrawal of legal aid for divorce and the loss of a major referral system from legal aid lawyers to mediators. According to Robey (2013) the failure to publicise mediation led people to apply straight to the courts as litigants in person, as they did not know what else to do. Other possible reasons for lack of take up of mediation could be attributed to separating couples lack of confidence in

mediation as a means of resolving their conflict; the client's perception of how mediation can help resolve their dispute, as well as a perceived gender power imbalance when attending a mediation session (Somers, 2014). Now that the Children and Families Act 2014 require couples wishing to start court proceedings attend a MIAM, the experienced mediator will be able to explore these issues prior to mediation commencing. Since the government made MIAMs a statutory requirement, there has been an increase in the number of individuals seeking to resolve their disputes through mediation. Current statistics reveal that between January-March 2015, mediation starts regarding child arrangements stood at 1441, an increase of 196 compared to the previous quarter, and the number of successful mediation agreements concerning children from April 2014-March 2015 was 68% (Ministry of Justice, 2015).

The latter part of the chapter discussed the government's introduction in 1993 of the Child Support Agency (now the CMS). The main reason for its introduction was to track down 'absent' fathers and non-resident fathers in general, and make them financially responsible for their children, thus reducing the burden of financial responsibility on the state, as the 1990s saw an increase of lone parents claiming state benefit (Nutt, 2006). Again, this system had its flaws, as the CSA failed to take into account fathers' other expenses when calculating their formula for maintenance payments, and also for failing to acknowledge that not all fathers avoided their financial responsibility (DWP, 2013). Non-resident fathers are faced with many complicated, emotional, financial and legal issues post-divorce/separation, as conveyed by the fathers in this study, and therefore, as many of the fathers articulated, they had little alternative but to turn to self-help/support groups for advice, guidance and support.

Groups: Understanding the experiences of post-divorce/separation parenting

Chapter Three was the pivotal point in this thesis because it built upon the literature in the previous two chapters by analysing the reasons why some men became members of self-help/support groups' post-divorce/separation. The literature discussed the significance of self-help/support groups, especially for men, by focusing on two key issues: motivation and group success.

The second half of the twentieth century saw the formation of a plethora of self-help and support groups. Amongst these groups was Families Need Fathers. Due to the rise of divorce rates and many fathers becoming non-resident parents, FNF was set up to invite non-resident fathers to share their experiences of post-divorce/separation with other fathers in the same position as themselves. Over the years, FNF became a gender-neutral charity and, despite its name, it continues to offer advice, support and education to all divorcing/separating parents irrespective of gender. Research has suggested that men tend to be reluctant to join self-help/support groups, and that their reluctance is linked to issues of masculinity. Despite this assumption, the fathers in this study were more than willing to articulate their reasons for becoming members of FNF, and at no time was masculinity ever mentioned.

To date, there are numerous groups, all diverse in nature that target problems men encounter through their lives. With regard to divorce/separation and the issue of father-child contact, two very different groups were established, Families Need Fathers and Fathers 4 Justice. F4J took a proactive approach to generating awareness of fathers' issues, whilst FNF took a more passive approach by participating in government consultations. Despite the differences in approaches, both groups had the same purpose in mind, and that was to change attitudes in the family law arena so that children received a loving relationship with both parents who lived apart.

Findings and Discussion

The fathers in this study are at the thin edge of the wedge due to their conflicted relationships, as other divorced fathers go through the same process and are able to reach amicable agreements with their ex-partners (Blackwell and Dawe, 2003) and even though this is a small scale study, it is substantial and significant figure-wise, as 99,822 children in 2012 experienced parental separation (ONS, 2014a). From a methodological perspective, the findings of this study cannot be universally generalised, as the research focused on one particular group of non-resident fathers rather than spreading across a range of examples. However, this study was carried out with rigour and although it was practice-driven and small-scale, the findings are able to contribute to the evaluation of existing knowledge regarding non-resident fatherhood. All divorce issues affect fathers, albeit, in diverse ways which vary in severity. The fathers in this study were at the extreme end of the spectrum and shared social, psychological, emotional,

moral and legal aspects of the divorce process. Therefore, generalisability existed within the group.

The latter part of the thesis drew on the data to highlight a diverse range of ways in which fathers constructed and post-divorce/separation, reconstructed their fathering roles with the help of Families Need Fathers whilst having to interact with legal and state welfare agencies that gave primary parental precedence to mothers (Dolan, 2014). In order to maintain some form of contact with their children, fathers had to redefine their pre-divorce/separation roles and learn to be both a non-resident parent and estranged partner. For many of the fathers, this meant that they had to parent from a distance, but for some, the conflicted relationship with their ex-partner's was never resolved which resulted in no father-child contact at all.

The changing nature of post-divorce/separating parenting

With a diversity of family types occurring over the past few decades and the changing notion of relationships due to demographic, social and economic changes, fathers' roles are understood to be more multi-faceted by experts and policymakers. Fathers to date are expected to take an active involvement in childcare, provide financially for their children and participate in shared parenting with the mother, in other words, paternal involvement is multifunctional in nature (Holden, 2010) with an increasing emphasis being placed on fathers' nurturing abilities. This poses the question; if the role of a father in a stable relationship is profoundly challenged, then how do non-resident fathers, often in conflicted relationships, renegotiate or redefine their fathering role?

Fathers in this study described how, pre-divorce/separation, they had a 'hands-on' or 'very involved' relationship with their children, but, post-divorce/separation, this role was greatly reduced with many fathers describing themselves purely as "financial dads". Divorce/separation had a significant impact on fathers' roles and fathering practice. Not only did it cause some fathers to question the meaning of fatherhood and their own fathering practice, but they were also faced with dilemmas concerning finance, emotional issues and more importantly, father-child contact. With regard to the meaning of fatherhood, a diversity

of meanings was offered with no singular model dominating the sample. However, the general consensus was the emphasis fathers placed on being a positive role model to their children despite parenting from a distance.

Providing financially has been promoted as a sign of good fathering and all the fathers interviewed felt that it was their responsibility to provide for their children, and that it was an integral part of their fathering role even though they no longer lived in the marital home. Nevertheless, in contrast, many fathers were expected to pay considerable legal costs, resulting in them having to re-mortgage property, borrow money from family members, and in a number of cases, accruing significant debt. This, in turn, impacted upon their physical and emotional well-being.

Although non-resident fathers experience a number of transitions during divorce/separation, the loss of the pre-divorce/separation father-child relationship was identified as the most pronounced by fathers in this study. Loss of the father-child relationship was described by fathers as similar to a grieving process, directly and primarily connected to the actual or threatened loss of their children. This process was experienced at varying levels and for varying lengths of time. Some fathers described their experience as an “on-going bereavement” where there is “no finality” and “no closure”, as some men had no contact with their children, and others, minimal contact. Fathers used the term “on-going bereavement” in contrast to a family bereavement as a result of death where there is a burial, period of mourning and, to a certain extent, a closure.

Others spoke of suffering from stress and experiencing depression which required medical intervention, whilst a small number of fathers even contemplated suicide. What was evident in the interviewees’ accounts of their emotional state was the perceived lack of emotional support for parents experiencing the divorce/separation process. Some fathers consulted their own doctors. Two fathers had private consultations with psychologists, but the general consensus was that the most effective means of emotional support came from other non-resident fathers at FNF meetings. Therefore, group support played a major part in helping fathers improve their emotional well-being.

The most difficult issue non-resident fathers faced, was that of father-child contact. Most fathers reported they experienced difficulty negotiating contact arrangements with their former partners, and this, in turn, impacted upon their parenting practice and their relationship with their children. Most of the interviewees had previous experience of, or were in the process of going through the family court system due to conflicted relationships. Their contact time was greatly reduced in comparison to their pre-divorce/separation situation and this created a number of concerns. As well as previously mentioned emotional concerns, there were also practical concerns. Fathers had to find suitable housing for when their children came to visit. Geographic distance was another concern; in some instances, fathers had to travel up to 100 miles to collect their children. One father, in particular, had to travel to a different country to see his son. A further concern was the exclusion from decisions regarding their child's development in terms of health and education. As the non-resident parent, many fathers found it difficult to obtain information from their doctors regarding their child's health and more so from their children's school regarding their progress, especially when it came to obtaining end of term reports. When fathers consulted head teachers, they were told that because in most cases, the child lived with the mother, they were not entitled to any information, which of course, completely contradicts the principles of Parental Responsibility as stipulated in the Children Act 1989. As a result, fathers had to take court action so that their parental responsibility could be exercised.

Finally, with regard to contact arrangements, one of the most salient concerns voiced by fathers was that of 'obstructive parenting' on the part of mothers. A number of fathers claimed that when arriving at a pick up destination to collect their children, they would be told by the mother the children were not available, or that they did not want to see him. Some mothers opposed contact for other reasons, and, by doing so, undermined the potential of a father-child relationship. 'Obstructive parenting' is an issue other researchers encountered in their studies (Lowerstein, 2007 and Lorandos, 2005). The courts acknowledge that implacably hostile mothers do exist, but only in a minority of cases; there was approximately 1,400 in England in 2011/12 according to Trinder (2013). 'Obstructive parenting' is a complex issue, but failure to implement enforcement orders could be viewed as damaging public confidence in the family justice system (Trinder, 2013), whereas stringent enforcement orders such as imprisonment or transfer of primary care could be impractical or harmful to the child. The courts view non-compliance of a court order seriously and impose a number of sanctions such as community

service, fines and a swift return to court to deal with the issue. It is believed that swift redress of non-compliance is needed so that educational measures such as the attendance of parenting programmes or mediation would benefit the parent, rather than the implementation of punitive forms of enforcement (Norgrove, 2011).

It is evident that the relationship between non-resident fathers and children is a difficult one to maintain, as there are no guidelines that help fathers develop a new relationship with their children and no role models. Fathers have to redefine their roles. In doing so, there are many factors for them to consider and put into practice, such as how to manage their time with what little time they have with their children, where they can take their children on visits, how to negotiate their parenting practice under new circumstances, and how to cope with their emotions especially when having to say goodbye at the end of each visit. All in all, most men in this study described their role as an outsider, which can only lead to the question do families need fathers?

The challenges of 'social' parenting

The first half of the twentieth century saw a broadly 'traditional' two parent family based on the male breadwinner model with specific gendered roles. From the mid twentieth century onwards, there was a shift away from the male breadwinner model towards a greater degree of individualisation brought about by social, economic and family change (Williams, 2002). There are a number of diverse family situations in which children today are being brought up, such as births outside marriage, lone parenthood and re-marriage or re-partnership creating stepfamilies (Social Trends 40, 2010), all of which could result in a number of children experiencing a diverse range of parental care throughout their childhood.

Smart and Neale (1999) suggest that the dominant discourse supports the claims of biological fathers, and yet we cannot ignore the increasing prevalence of social fathering. The divorce/separation process involves a number of transitions for both parents, but when either one, or both parents re-partner, there are further difficulties and challenges that they have to negotiate. Six of the twenty five fathers in this study were step-fathers and were caring for

their ‘biological’ and ‘social’ children prior to divorce/separation. The six fathers all remarked that they treated their step-children no differently to their biological children, although, initially, having to parent someone else’s child was not without its challenges. These challenges involved creating new boundaries especially in decision-making, forming a bond with the step-children, coping with emotional stress and having to provide financially for a larger family. Nevertheless, these challenges diminished as the step-families developed.

What was particularly evident from the findings regarding social fathering was that all six fathers were concerned with the effect the divorce/separation process would have on their children, especially the step-children, as they had already experienced different fathers in their lives and different fathering practices. A further concern was that, due to divorce/separation, there was a chance their own biological children with whom they no longer resided would become step-children themselves if their ex-partner’s decided to re-marry or re-partner. Estimates from the General Lifestyle Survey 2011 for Great Britain revealed that 85% of stepfamilies with dependent children included children from the woman’s previous relationship, 11% included children from the man’s previous relationship and 4% from both partners’ previous relationships (ONS, 2014b). As a result, the changing patterns of partnering can cause considerable apprehension about the stability offered to children.

Step-parenting is not without its complexities, as voiced by fathers in this study, and yet, according to Batchelor (2003), policy and practice do not fully address the issues raised by step-parents or step-families. With such diversity in family forms today, a broad range of resources to support both children and parents alike need to be implemented so that on-going contact with step-families as well as the wider family network are maintained.

Contact, conflict and finance

Every child has the right to a meaningful relationship with both parents post-divorce/separation, and even though many fathers had some form of contact with their children, albeit, minimal contact, some fathers had no contact at all. Every father had experienced the judicial system at some point. Many were disillusioned with the legal system, articulating that

minimal contact was awarded in most cases without an offer of explanation by the judge even though judges are not required by law to acknowledge their decisions in writing. Further disillusionment was experienced when dealing with solicitors, as some fathers had several solicitors, and eventually resorted to becoming a litigant in person and representing themselves. There is also the issue of finance. Divorce is a costly procedure, which resulted in fathers losing their homes, re-mortgaging their properties, and even resorted to them borrowing money from family members to pay legal costs. The whole divorce/separation process is fraught with issues that both parents have to address; attempting to stretch finance to cover two homes, does very little to relieve tension between ex-partners (Walker, 1993) and therefore, would impact on children's well-being.

Many fathers experienced conflicted relationships and were unable to reach an agreement with their ex-partners over child contact, so the courts assigned them a CAFCASS officer to carry out an assessment of the family and report to the courts on the child's behalf. Fathers reported receiving CAFCASS reports just prior to a court case, rather than receiving them in plenty of time to prepare a response. They also complained about the length of time it took for a report to be written, which often meant a delay in father-child contact, and they also reported that CAFCASS officers very often took the mother's wishes into consideration rather than remaining impartial. Much has changed since this fieldwork was carried out, as discussed in chapters two and six. CAFCASS/CAFCASS Cymru now focus very much on the views of children experiencing parental separation; they also adopt a tighter model of case analysis with 98.5% of welfare reports in England throughout 2013/2014 being supplied on time (CAFCASS, 2014).

Out-of-court mediation was also tried by a minority of fathers but failed, due to agreements being breached or ex-partner's refusing to continue with the sessions. But for the majority of fathers, mediation was not attempted, as their ex-partners refused to participate. The general consensus among the fathers was that mediation may have helped if their ex-partners had been willing to at least participate. However, it must be said that with both parents having to negotiate new parental identities and deal with the emotional impact of the divorce/separation, mediation may not have been successful. For mediation to work, both parents need to address their emotions independently, conflict needs to be reduced and minimal trust established. The

Separated Parents Information Programme in England and the Working Together for Children programme in Wales aim to bring the impact of conflict to the parents' attention and help them realise that children are often placed in the middle of the conflict. According to the National Family Mediation (2015c), many parents that attended the Working Together for Children programme felt the course was helpful. If both parents are able to set aside their differences and focus on the welfare of their children, then there is no reason why the non-resident parent cannot maintain a meaningful parent-child relationship. That said; further research needs to be carried out in order to assess the effectiveness of these programmes.

Stereotypes of mothers as carers and fathers as financial providers are still evident post-divorce/separation today. Primary care is often given to the mother, with the non-resident father having to demonstrate his responsibility in a financial capacity, often through payments to the Child Maintenance Service. Of the twenty five fathers in this study, seven men said they were able to reach financial agreements with their ex-partners without involving the CSA. None of the fathers objected to contributing financially for their children, but the amount of maintenance payments caused a mixed reaction amongst fathers, with some stating that the payments were far too high, and others stating that they were fair. The study did reveal, however, that most fathers, as well as contributing through the CSA by mutual agreement, also provided financially by way of an additional savings account for their children's future and 'in kind'. This suggests that the most prominent aspect of fathering, even in a non-resident situation, is that of the 'traditional' breadwinning role (Williams, 2002; Collier and Sheldon, 2008).

Redefining fathers' roles

One of the three research questions examined how involvement in self-help/support groups, in this case, Families Need Fathers, might help members redefine their fathering role. The findings revealed that for the majority of fathers the group had a demonstrably positive impact on helping them to redefine their fathering role, albeit in diverse ways. Some fathers had clear ideas about their fathering role post-divorce/separation and saw themselves as positive role models, but for others fatherhood was not a term they had really thought about until their divorce/separation. They performed their fathering role without any thought of what it meant

or the implications involved should divorce/separation occur. FNF helped fathers focus on the meaning of fatherhood, the importance of their role as a non-resident parent, how to cope with the emotional impact divorce/separation had on their subjective well-being, and, more importantly, it helped them realise that for the children's welfare both parents need to be fully involved in their children's lives. What was evident in this study, particularly in relation to FNF's influence in helping fathers' redefine their fathering role, was how beneficial both the emotional support and practical support was that the group offered its members.

It has been suggested that men are more reluctant than women to express their emotions, but this was not the case in this study. Some fathers were primary carers' pre-divorce/separation and as such, had a high involvement with, and attachment to their children. But regardless of the intensity of involvement pre-divorce/separation, all fathers appeared to experience what can only be termed as a 'grieving process' which was directly connected to the reduced contact or severing of contact with their children. Although fathers experienced a number of transitions pre- and post-divorce/separation, reduced contact and loss of contact was identified as the most salient. Therefore, the issues of men's emotions in this study, challenges the stereotype of the distant 'deadbeat' dad.

With regard to the practical support FNF offered its members, fathers revealed that it improved their understanding and knowledge through the dissemination of information, thereby enhancing members' decision-making skills. As a result, this boosted fathers' confidence, giving them a sense of personal empowerment. This was a major factor in determining whether a father stayed involved in his child's life, or being cut out of his/her life.

In summary, with little support or information available to non-resident fathers from the government and other service providers alike at the time this fieldwork was carried out, FNF proved a valuable source of support to its members in a practical, emotional and educational capacity. As social beings, there are times when we all need to ask for help and support from others for whatever reason and non-resident fathers are no exception. They turned to one another for support, as each father had experiential knowledge of divorce, the legal system and welfare agencies which they shared at group meetings in the hope that it would benefit other

members experiencing similar problems. The support network amongst members directly influenced fathers' subjective well-being, and the negativity displayed by fathers when they first joined the group transformed to positivity after a few months of attending the group. The group promoted equal parenting and acknowledged that both parents are equally important in their children's lives. In turn, all of the above factors had a positive part to play in helping fathers redefine their fathering role post-divorce/separation.

All fathers in this study experienced a number of transitions pre- and post-divorce/separation. For some fathers transitions through the divorce process are managed more effectively than those experiencing conflicted relationships. The fathers in this study found transitions difficult, but with the help of Families Need Fathers, were able to redefine their fathering role post-divorce/separation. This research was managed by using the theory of reflexivity as a means to reveal the situational and structural elements inherent in the complex transition of pre- and post-divorce/separation fathering. Symbolic interactionism was also used as a means of understanding group structure and how members, through their actions and interactions were able to make sense of, and come to terms with their experiences of the divorce process. Hence, from a sociological perspective this thesis contributes to knowledge in the area of fathers' participation in self-help and support groups, an area where current academic literature is sparse.

The Implications for Policy and Research

The State enforces the notion that both parents are equally important in a child's life, and yet it is difficult to justify family law that instinctively disrupts divorced fathers' relationships with their children. It must be stressed that the value of a father's relationship with his children post-divorce/separation must not be allowed to diminish.

Eliminating perceived gender bias

The findings of this research have raised issues which need to be addressed by welfare agencies and policymakers alike. The general consensus amongst fathers in this study, is that judges

should be required to justify their reasons as to why they are awarding primary care to one parent rather than the other. At present in the UK, judges are not required to justify their reasons, and make their decisions on child arrangements based on the best interest of the child. However, in decisions regarding child arrangements, the law should be amended to require that judges state specific reasons as to how they reached their decision. The decision should be detailed and recorded, demonstrating gender neutrality and therefore eliminating any perceived possibility of gender bias.

A majority of divorced fathers are ready and willing to continue a relationship with their children post-divorce/separation, despite a minority of fathers who may not. The family courts, therefore, should do all that is possible to encourage fathers to embrace their fathering roles, and eliminate any perceived gender bias (Hunt, 2004), which portrays fathers as financial providers rather than enhancing fathers' significant childcare roles. In contrast, conflicted relations are not primarily legal; they are often highly complex in nature and it is not the courts responsibility to deal with relationship issues. However, the new legal presumption, introduced by the Children and Families Act 2014 which presumes that the involvement of the non-resident parent will further the child's welfare, was a measure taken, according to Harding and Newnham (2015), to increase public confidence in the family justice system. The authors also revealed that a review of almost 200 case files in five County Courts in England and Wales in 2011, demonstrated that contact applications by fathers were "overwhelmingly successful" and that there were no indications of discrimination against fathers due to gender bias. Both parents, and society as a whole, need to work actively to discard gender stereotypes that oppress both men and women not only in the family courts, but at home and in the workplace. The health and well-being of children depend on the ability of both parents to work co-operatively to achieve this crucial goal, and more so in the throes of divorce/separation.

A legal presumption in favour of shared parenting

The State continues to advocate that post-divorce/separation both parents should continue to have a meaningful relationship with their children, as long as it is safe and in the child's best interest to do so. Up until 2014, the Children Act 1989 failed to impose a legal *presumption* of shared parenting, despite much debate in the UK over the inclusion of a presumption for shared

parenting in family law by so-called ‘fathers’ rights advocates’ who were concerned about the presence and influence of fathers in children’s’ lives. In contrast, feminists were concerned about women’s status, financial stability, independence and more importantly, safety from violent partners. There were also social workers and court welfare officers who were concerned about children’s well-being and whose unique contributions to the debate usually favoured one of the former two advocates.

Those advocates who argued for a legal presumption suggested that in order to maintain a high level of fathering involvement post-divorce/separation, all divorced fathers should be granted shared parenting. This in turn would be seen as shaping public opinions about divorced fathering and the role they play in their children’s lives (Douglas, 2006), and it would enforce the notion that each parent is equally important in their children’s lives. It was also suggested that shared parenting would likely benefit children because they would have regular and frequent contact with their non-resident father and would therefore, better adjust to divorce, and have fewer educational, social and behavioural problems (Douglas, 2006). All in all, there was a general consensus by the fathers in this study that a legal presumption for shared parenting would likely enhance the mental and physical well-being of all children of divorce/separation and it would help to eliminate what was allegedly perceived by some, to be a social injustice against fathers in the courts (Harding and Newnham, 2015). In 2014, with the introduction of the Children and Family Act, legal presumption of shared parenting became a reality; but, at what cost, if any?

The government’s sentiment behind the ideology of shared parenting was no doubt based on good intentions, but a presumption of shared parenting also has its opponents. One of the primary concerns was the potential risk to women whose partners are violent. This could pose a threat to women, especially when it was time for the children to be ‘handed over’ to the father; therefore, in these circumstances shared parenting should not be granted. A further concern was the financial position of divorced/separated mothers. If a father was granted shared parenting then a proportion of the child maintenance payment he contributed would be reduced; which would mean a reduction in payment to the mother, as fathers would need to provide for their children in their homes, as well as mothers in theirs (CMS, 2013). A problem could arise if the father failed to comply with his contact order and his allocated time was not

spent with the children; this could result in the mother having to bear the higher financial burden of raising the children.

It is evident from the above that a legal presumption of shared parenting is a source of much contention. Children have a fundamental right to unrestricted contact with both parents, but this does not mean that a child should spend 50% of his/her time with one parent and 50% with the other parent. The child's time can be split in a number of ways that suit the child and that works in the child's best interest. In order to be able to share responsibility, parents have to look beyond their own needs, even if they are still angry or hurt following their separation and be able to communicate with each other. They will need to form a new relationship which will require them to focus on what is best for their child, rather than themselves.

Mandatory MIAM's

With the family courts reluctant to intervene in parents decisions regarding property, finance and child contact during the divorce/separation process, parents, especially those who are unable to reach agreements regarding these issues and who are experiencing a conflicted relationship, are expected by the courts, to attend a MIAM and further mediation sessions if necessary, in an endeavour to reduce conflict and promote better communication. The aim of parents' attending mediation is to facilitate a positive post-divorce/separation relationship which will help children adjust to the divorce process, improve the process for all family members and promote a continued and meaningful relationship with the non-resident parent. Mediation was suggested as a means of encouraging parents to settle their disagreements away from the adversarial setting, but it is difficult to assess its effectiveness in improving the well-being of children, as mediation is not suitable for all parents, especially those who experience violence.

Many fathers wanted to attempt mediation as they thought it may have helped, but unfortunately either their ex-partners refused to participate in the sessions, or they attempted a session and then refused to attend further sessions. A further drawback for fathers was that agreements that were made during the sessions were 'broken' shortly afterwards. At the time

of my research, agreements made in mediation sessions carried little weight in the family courts. Today however, parents who make their own agreements and wish to have them made legal, can do so in the form of a consent order (Ministry of Justice. 2014b). For several decades, the government, family practitioners and researchers have promoted father involvement in various forms including campaigns, the media and paternity testing to name but a few. The idea of bringing parents together to discuss vital issues concerning their children, and to promote non-resident fathers' active involvement with their children so that improvements can be made for the children's future, can only be a positive move. Nevertheless, consideration must be given to those parents' experiencing conflicted relationships, to ensure that they are given a so called 'cooling off' period so that they are able to think and act in a rational manner.

Professional counselling: addressing the emotional needs of separating parents

Divorce/separation is a painful process for both parents and each individual will, at some point, experience material difficulties and emotional turmoil. The emotional impact of the whole divorce/separation process requires both parents to recognise the need for their own physical space, whilst undergoing many transitions both as parents and individuals. As in all cases of divorce/separation, especially when children are involved, the children have to be informed of their parents decision to end their relationship, so as well as parents having to deal with their own emotions, they also have to consider the emotional impact on the children.

Some parents are able to co-parent following divorce/separation and support their children emotionally whilst maintaining a strong parent-child bond. Unfortunately, in conflicted relationships this may not be the case. All non-resident fathers in this study articulated that reduced contact, and in some cases, lack of father-child contact, was the most prominent reason that produced the emotional turmoil that they all experienced. Some fathers experienced extreme cases of stress and depression whilst others contemplated suicide. The findings from this study revealed that there was no professional counselling available for them. Most fathers sought help from their doctors, or had to pay privately for treatment at a time when finances were already stretched. Since writing this thesis, FNF has offered professional counselling to

non-resident parents in certain parts of the UK and some family courts offer a counselling service to divorcing couples.

Policymakers and professionals need to consider adopting a policy to include access to professional counselling as part of a support programme for divorced/separated parents throughout the divorce/separation process, to enable each parent, independently, to work through their emotional turmoil and reach a positive outlook. This, in turn, could lead to better communication between parents and afford them the ability to work together on a suitable plan for their children's future which would include active involvement of the non-resident parent in the child's life.

Further research

Becoming a non-resident parent one has to surmount a number of problems and transitions in order to maintain a meaningful parent-child relationship. This research focused on non-resident fathers only, and as such, the recommendations for further research will be discussed in terms of non-resident fathers. However, I acknowledge that non-resident mothers (Keilty, 2005) face similar problems and would likely benefit from further research on some of the issues that arose in this study on fathers.

Broadly, there are a number of directions in which the research might move forward. Like all research, this project can benefit from deliberating on each element in the research process. Its aim is to seek out areas that may need further exploration and additional areas for research. This thesis analysed the actions, interactions and emotional well-being of participants in the project during three years of observation, which provided the means of obtaining data using a grounded theory approach. Grounded theory approaches are appropriate for the study of phenomena, interactional questions as well as biographical questions (Glaser and Strauss, 1967; Strauss and Corbin, 1990). Qualitative interviewing provided a snapshot of the content of non-resident fathers' daily experiences whilst providing me with a better understanding of how human action is interposed by culture. In this study I was asking non-resident fathers to share their biographical accounts. On hearing their narratives, I was also listening for the meaning they made from their interactions and experiences of parenting from a distance. By carrying

out observation, I was able to generate data through observing and listening to non-resident fathers in 'their own field' and to discover the social meaning of their actions and interpretations of their own activities. This empirical study afforded me the opportunity to contribute to the development of social science research in an area which has been neglected in the extant literature on non-resident fathers.

This unique study of non-resident fathers, all of whom were members of Families Need Fathers is the first study of its kind in South Wales. An area directly originating from this research and supplementing the analysis of non-resident fathers would be a comparative study. It was found that time and finance limited the scope of this research, as with most research projects and therefore, this research was limited to South Wales only. Although a great deal of literature has been written on divorce, there is a paucity of literature on the divorce process in general particularly with regard to non-resident parents, especially fathers. The research revealed three key areas where research may develop: divorce as a general phenomenon; fathers' groups; and the impact of cuts in services. Although this study was carried out in South Wales, the findings would not be unique to South Wales.

Divorce as a general phenomenon

As previously stated, the number of divorces in 2012 totalled 118,140 with 99,822 children experiencing parental separation. All couples will have experienced the divorce process at various levels, with some able to reach agreements over child welfare and financial matters, and others who will not, especially if tensions are running high, and their relationship is in conflict. Fathers in this study, most of whom experienced conflicted relationships, had to cope with many issues following divorce/separation, including how to provide financially for their family and their own household; they had to provide adequate housing so that the children had a place to visit; they had to negotiate contact arrangements with ex-partners; they had to adjust to parenting full-time on a part-time basis; contend with 'obstructive parenting' and cope with the emotional stress of the divorce process itself.

It was evident from the findings of this study that non-resident fathers would benefit from further research being carried out into the availability of professional counselling for post-divorced/separated parents, as many fathers claimed that no professional emotional support was offered to them following the divorce/separation. The only support they received derived from other fathers who were members of FNF; although some fathers did say they received emotional support from family members. Although it can be suggested that these fathers are at the extreme end of the divorce process, it is likely to be a wider phenomenon than just those who attend Families Need Fathers. Housing was another issue of concern. Fathers stated that there was no help available regarding social housing for non-resident fathers. Therefore, research needs to be conducted into what housing, if any, is offered to non-resident parents, as fathers are generally the ones who have to leave the marital home and find alternative accommodation that is suitable for their children when they come to visit. At a time when very little emotional support is given to non-resident parents, social policy needs to recognise the importance of engaging with the emotional impact of divorce/separation. Much has been done to inform parents about the divorce process itself, encourage co-operative parenting, as well as improve the legal arena, but it is not just the legalities of divorce that need to be resolved, it is also the emotional issues which need to be dealt with effectively if a favourable outcome can be expected for all involved.

Fathers' groups

So called 'fathers' rights groups' have been in existence since the 1970s, and yet there is a paucity of academic research in this area. Hale *et al.*, argue that "whether by consent, default or court-based decisions, the great majority of children end up living with their mothers" (2009:457). So, where does this leave non-resident fathers? Many fathers continue to parent, albeit, on a part-time basis, but, with limited father-child contact, how do these men cope on a daily basis, both on a practical and emotional level? One of the findings of this study revealed that practically no support system was in place for non-resident fathers' post-divorce/separation. The support that was available seemed to be geared towards mothers. Fathers felt that it was FNF that provided most of the support they received.

Further comparative studies would help to explain the reasons why some fathers attend self-help/support groups such as FNF, whether these groups offer beneficial support to their members and whether they have any bearing on fathers' self-identity. Comparing South Wales to other areas throughout the UK could help to discover if non-resident fathers attending FNF elsewhere, encountered similar problems and the kind of support they were given, if any, to help them redefine their fathering role post-divorce/separation. These studies are important, especially for non-resident parents if children are to have a continued relationship with both parents post-divorce/separation.

Impact of cuts in services

Families Need Fathers is a registered charity and relies on members' subscriptions, donations and volunteers to run the organisation. In recent years, it has received funding from a number of Foundations and Trusts as well as a capacity building grant in 2006 from the Department for Education and Skills (DfES) to enable FNF to develop a more 'professional' management structure and improved service. With the current government implementing public spending cuts, where does this leave charities such as FNF and Sure Start who provide a support network to families in turmoil, if public funds are lost?

As the research findings have shown, public bodies such as CAFCASS were once 'struggling' with their caseloads so, if funding is reduced or staff are made redundant, what effect is this going to have on an already 'over-stretched' workforce, and more importantly, on the families who use their services? Not only will government cuts affect charities and public bodies, but it will have a direct impact on families. It is highly likely that individuals are going to be made redundant as a result of these cuts therefore; the UK is going to see a rise in unemployment. Unemployment is going to bring added financial pressure and emotional strain to families, which could lead to a further rise in divorce rates. Non-resident fathers in particular, are already feeling the financial pressure of divorce/separation. Many men have two households to provide for, they have to pay high legal costs, and pay-off outstanding debts. Further research therefore, needs to be carried out to assess just how much cuts in services will impact on the support services for families and on families in general.

In summary, this thesis applied grounded theory to an empirical study. It is one of the first studies in South Wales, that attempts to discover how fathers attending the support group FNF, construct, and following divorce, redefine their fathering role where they have, at most, minimal contact with their children, by directly analysing the experiences of fathers. The thesis has shown that limited father-child contact, and in some instances, no contact at all, is the most salient problem non-resident fathers face post-divorce/separation, especially when experiencing conflicted relationships with ex-partners. This research argues that non-resident fathering should be researched on an individual level, and fathers' accounts of their experiences or narratives must be used to reform the rhetoric of equality within the legal arena. Ultimately, to strive towards a positive effect on families experiencing divorce/separation, we should continue to endeavour to find research-based practices that improve the lives of parents, children and the wider families experiencing the process of divorce/separation.

Focusing on fathers' transitions demonstrated how fathering roles change with situational and social circumstances. Fathering roles pre-divorce were clearly defined in terms of practice, responsibility and emotion. However, during the divorce process the fathering role was thrown into turmoil with responsibilities having to be renegotiated. Finally, through group participation, fathers were able to redefine their fathering role. Public policy concerning fathers needs to be more broadly based than just the financial sphere. By focusing on the consequences of divorce for non-resident fathers we are able to understand how the father-child relationship could be difficult to establish and maintain post-divorce/separation. It is assumed that society as a whole benefits from good fathering. If this is true, then policymakers need to develop social policies that will emphasise fathers' interpersonal as well as financial commitment to their children, whilst taking into account the complex interplay of transitions that fathers make post-divorce/separation.

Appendix 1

Consent Form

Project Title: The Career of Fatherhood: Parenting from a Distance

Material gathered during this research will be treated as confidential and securely stored. Please answer each statement concerning the collection and use of the research data.

I have read and understood the Cover Letter. Yes No

I have been given the opportunity to ask questions about the study. Yes No

I have had my questions answered satisfactorily. Yes No

I understand that I can withdraw from the study at any time without having to give an explanation. Yes No

I agree to the interview being audio-taped and to its contents being used for research purposes. Yes No

I agree to being identified in this interview and in any subsequent publications or use. Yes No

I agree to remain anonymous in this interview and in any subsequent publications or use. Yes No

I agree to my audiotapes and to the transcripts (in line with conditions outlined above) being archived and used by the researcher only. Yes No

Name (printed)

Signature _____

Date _____

Please feel free to contact me if you have any further questions.

Researcher: Sharon Graham

E-mail Address: sharon.graham@southwales.ac.uk

Appendix 2

Interview Schedule

1. Background Information

- > Base Data. This interview is between myself, Sharon Graham and ___?___ on date at time.
- > Could you tell me a bit about yourself? e.g. name, age, occupation, marital status, how many children you have and what their ages are?
- > Could I start by asking you what fatherhood means to you?

2. Pre-divorce/separation Fathering Role

- > How would you describe your role as a father prior to divorce/separation?

3. The Divorce/Separation Process

- > What circumstances led to the divorce/separation?
- > Did you have contact with your child(ren) throughout the divorce/separation process?
- > How did you feel personally about the divorce/separation process, especially from an emotional point of view?
- > What impact did the divorce/separation process have on your role as a father? Did it change how you thought about yourself as a father?

4. The Court

- > Whose decision was it to go to court, yours or your ex-partner's?
- > Was your child(ren) old enough to know what was going on when your case was going through the court?
- > Do you think it had an effect on the child(ren)?
- > Were your views and wishes taken into account by your solicitor and the judge?
- > Do you feel the right outcome was reached in court?
- > When did you last have contact with your child(ren)?
- > Are you happy with the amount of contact you have with your child(ren)?
- > How would you describe your state of mind throughout the court process?

- > How did this whole process impact on you, emotionally?
- > To what extent, if any, did it affect your role as a father?

5. Legal and State Welfare Institutions

- > Did you attend mediation and if so, what did you think of it? If not, do you think mediation would have worked?
- > Was you happy with how your solicitor handled the case?
- > Was a Court Welfare Officer (CWO) involved in your case?
- > Was a CWO report prepared?
- > Did you see the report prior to the court case?
- > How did you feel about the report?
- > Was a contact centre used and if so, what did you think of it?
- > Have you ever contributed financially for your child(ren), through the Child Support Agency (CSA)?
- > Do you think that the contribution that you made was a fair amount?
- > As a non-resident father, how would you describe your experience of interacting with legal, and state welfare institutions?
- > How long has this whole process been going on?

6. Self-help/support Groups

- > How long have you attended Families Need Fathers and why did you start attending the group?
- > How would you describe your state of mind prior to joining FNF?
- > Do you find the meetings helpful and supportive; if so, why?

- > How would you describe the kind of support you've received from FNF?
- > Would you say your state of mind has changed in any way, since you first attended FNF?
- > As a non-resident father, what other sort of help or support do you feel you would benefit from?
- > Are you aware of any other groups or services that address the needs of non-resident fathers?
- > Have you ever been involved with any other self-help group?
- > After being a resident father, and due to divorce/separation becoming a non-resident father whereby your role as a father was reduced, would you say that your outlook of fatherhood has changed in any way?
- > Would you say that FNF have, in any way, had an impact on your sense of fatherhood?

Appendix 3

Interviewees

Name	Age	Occupation	Marital Status	Number of Children
Gary	44	Unemployed	Single	1
Terry	54	Sec. School Teacher	Divorced	3
Jason	46	Mechanical Engineer	Divorced	2
Derek	49	BBC Production	Remarried	3
Lewis	38	Self-Employed (Glazing Business)	Cohabiting	2
Malcolm	36	Full-time Student	Single	1
Stuart	20	Customer Services Rep.	Single	1
Mike	41	Self-Employed Carpenter	Separated	2
Mark	46	Computer Programmer and Singer (Currently Unemployed)	Divorced	2
Peter	52	Mortgage Consultant	Divorced	1
Gerry	?	Company Director	Divorced	2
Matt	45	Painter and decorator	Divorced	3
Patrick	48	Networker for S4C	Divorced	3
Alex	48	Estates Manager	Divorced	3
Don	47	Bread Wholesaler	Remarried	2
Shane	36	IT Engineer	Divorced	1
Colin	?	Philosopher (Rtd)	Remarried	3
Dave	48	Van Driver	Divorced	2
Keith	43	Welder	Divorced	2
Gerald	35	Music Teacher	Divorced	2
Dennis	32	Builder	Divorced	2
Clive	40	Civil Servant	Divorced	2
Sam	30	Sales Rep	Divorced	2
Philip	44	Journalist	Divorced	3
Ben	31	Electrician	Divorced	2

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