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Children Speak

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A Newsletter of the Organization for the Protection of Children's Rights

Message from the President

Parents of intact families are faced with a number of challenges and difficult decisions when raising their children. Making the right decisions for the well-being of their children is always at the heart of a parent's motivation. Both parents do not always agree on what is the right or wrong thing to do when it comes to raising their children.

When the parents are separated or divorced, those disagreements become even more acute and even more difficult to resolve because of the added stress of the parental separation. Decisions concerning education and health for example can cause a lot of anxiety for parents as can issues about discipline. This is where family mediation can assist families with the issues that come with a separation and divorce as well as with the problems that can arise after all the issues of a divorce or separation are resolved.

Family mediation provides parents with the tools to communicate needs instead of dwelling on positions. The mediator conducts the sessions in an atmosphere of cooperation and respect towards the best interests of the children. Parents are given the necessary means to resolve any problem that

may come up in the future regarding their children.

It is clear then, that family mediation is an effective tool that can help families resolve disagreements. The question is why do

we continue to work with a legal system that is essentially adversarial in nature when we know that it just does not work in the best interests of parents and their offspring? How many more children need to suffer needlessly before we take action and change the way that family disputes are handled?

I have recently written a book entitled, *Please Don't Let Me Go, Papa!*. I would like to share with you a comment that was written by Mrs Eugenia R. Moreno, Executive Director of the Canadian Association of Social Workers concerning this book:

"Please Don't Let Me Go, Papa! is a powerful indictment of a legal system that fails, totally, to meet its obligation to work "in the best interests" of children of separated



Riccardo Di Done

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Nurturing Love and Values into Future Generations

Roshni Udyavar speaks to Family Courts Advocate Manjusha V. Khandekar about the rights of children affected by the separation of parents in Mumbai

CS: What are the legal provisions for protection of childrens' interests in case of divorce in India?

MK: Divorce and Separation of Adults in a martial relation is governed by Personal Laws in India - The Hindu Marital Act, Muslim Law, etc. These laws are comprehensive and provide custody to either spouse in the best interest of the child. The minimum time for a petition to grant divorce is 6 months when the case is of mutual consent. Otherwise the case may extend indefinitely to as long as 12 years or more. In most of these cases, children are called in as witnesses mostly to testify on charges of adultery or abuse. In most cases, children develop extreme feelings towards either or both parents, which is responsible for the development of violent and isolated personalities. It is not incidental that such children often carry the psychological burden of their childhood into adulthood. The Indian judicial system does not provide for out-of-court mediation or family counseling for parents who want to separate. Although such a system, it appears, is built into the traditional Indian family system.

CS: Has there been an increase in the number of divorce cases? What would you attribute it to?

MK: There has been a gradual rise in the number of divorce cases filed in the Mumbai Family Court - to the extent of 35%. The cases are filed under various instances such as Divorce, Custody petition; MA or Maintenance is the most common, in which children are concerned. The rise is mostly seen in middle income and higher middle-income families. Several factors are responsible: influence of soap operas on television in which divorce is very common, economic and social globalization bringing in increased levels of stress, lower level of understanding and discarding of ancient traditions, as well as financial indepen-



“The Roots of our personality lie in our childhood; Its protection is vital to the future of a society”

dence of both partners.

CS: What in your opinion should be done?

MK: The Roots of our personality lie in our childhood. Protecting that period of the child's life is thus very important.

- Children need both parents. Therefore, whatever their differences, parents must bring in sanity in dealing with their personal relations in the best interest of the child.

- It may be useful to introduce subjects such as responsible parenting in school or at the college level to teenagers, provided the subjects are not exam-oriented.

- The education to be responsible parents and to improve personality development in the interest of the future generation is a must in higher education. It is essential for the future generation to develop a balanced mind and logical thinking.

- Even in case of divorce and separation, it is important for parents to maintain warmth in their relation with their children and not allow their personal relations with each other to affect their children.

- Working parents must give time to their children. For a balanced upbringing, a child needs the association of both the mother and father as well as that of siblings and the extended family. It is important for the society and government to recognize this and make provisions to strengthen this basic unit of society by providing paid leave to mother and father at least in the early years of childhood. ■

Advocate Manjusha Khandekar can be contacted at manjusha1964@yahoo.com

Rising Number of Broken Families Reveals Moral Crisis in Britain

By Eunice K. Y. Or

Christian Today

In the wake of the increasing number of children running away from home, a bishop has warned Church of England Christians of the modern moral crisis within the secular culture.

Rt Rev Peter Forster, the Bishop of Chester, declared in the June issue of his diocesan news that Britain is in deep crisis with a widespread breakdown of family life. He stated the statistic of 100,000 children running away from home annually as a symptom of the basic underlying family problem.

Bishop Forster has seen the ultimate cause of the family crisis, which is the “sexual chaos” prevailing in the UK. Therefore, Bishop Forster warned, “Providing better facilities for runaway children has a place — but to me it’s just the tip of a very challenging iceberg.” He added that everybody will have a part to play in order to improve the situation.

Bishop Forster went on to highlight the depth of the crisis, he said, “Sexual chaos is an important factor in this breakdown, with infidelity contributing to many divorces and weakening other marriages. Despite all the efforts put into sex education our figures for teenage pregnancy remain among the highest in Europe, with the incidence of sexually transmitted diseases rising to epidemic proportions.”



“Providing better facilities for runaway children has a place, but it’s just the tip of a challenging iceberg”

In some areas where there have been particular efforts to provide sex education, the teenage pregnancy and disease rates have actually risen.

Many bishops have agreed with this viewpoint; a bishop in the north blames the government for “barely supporting” marriage while the Bishop of Carlisle, the Rt Rev Graham Dow, calls on Anglicans to reflect on their

attitudes towards sex.

The Bishop of Carlisle, also writing in his June diocesan news, sharply pointed out and emphasised the poor secular culture in today’s society and church, which has allowed the moral crisis to continue and to intensify.

He said that he was disappointed with the British culture that “smiles at those who are unfaithful or have had many

sexual partners”. This definitely counters the Christian teaching on marriage and family life.

He says, “Marriage is the God-given basis for stable family life and sexual intercourse is its sign and seal. But the Government is barely supporting marriage. Everything has become choice and there is no respect for the will of our Heavenly Maker.”

He commented that in this decaying secular society, morality does not provide people with an answer to their family crisis, and testified that only God has revealed to people their wrongdoings and challenged the worldly culture to its core. ■

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Family Mediation: The Primary Problem-Solving Approach

By Angela Ficca

Family law is one area of the law that affects everyone. While an individual may not have been directly involved in a family break-up, he or she knows a friend or a family member who has. Marital dissolution is a highly emotionally charged event and the answers to issues that some parents and children face are not always found in the law.

While there have been important innovations in family law in Canada, including mediation, collaborative law, settlement conferences and parent education programs, these changes have simply been added on to a system that is and remains adversarial in nature.

There is an urgent need to reform our judicial institutions to facilitate the introduction of an alternative dispute resolution process as a corner stone of our problem solving values in the family justice arena. Societal values and expectations need to change in order to make mediation a primary problem solving approach (where there is no family violence or an imbalance in bargaining power) in family law matters.

The best interests of children are better served within the framework of a comprehensive dispute resolution system and not the present adversarial legal system which pits one parent against the other thereby encouraging the parents to cast each other in the role of the enemy. Parents tend to blame each other in legal proceedings and

Divorce & Children

Divorce can wreak havoc in children's lives, and while there is no step-by-step manual for steering your kids through this traumatic time, there are some common sense guidelines that may make adjustments easier.

If you're going through a divorce, The Nemours Foundation suggests you:

- Encourage your kids to talk as openly as they can about their feelings, positive or negative.
- Don't bad mouth your estranged spouse in front of your children, no matter how angry you are.
- Avoid using your kids as messengers or go-betweens.
- If there's someone new in your life, expect resistance from your children.
- Seek out support groups, counseling, and friends in similar situations.

(Health on the Net Foundation)

can use hurtful language in affidavits. This process does not foster a spirit of cooperation between the parents who should be working together to resolve their disagreements.

Studies consistently demonstrate that conflict between former spouses over custody, child support, visitation rights and so on is linked to poor adjustment among children of divorce. Parents who continue to fight and make negative comments about the other parent in front of their children cause considerable harm to their children. Dr. Anne-Marie Ambert, a Sociology Professor at York University in Toronto, Canada, has

studied divorce for 25 years. She has found that :

“Continued parent conflict – especially when children are caught in the middle - may result in depression, hostility, aggressiveness, and other acting-out activities on the part of children. Moreover, parental conflict presents a dysfunctional role model. Children learn that disagreements can be solved only by fighting. This lesson may carry further negative consequences down the road in their own relationships.” (*Divorce: Facts, Causes and Consequences*, http://www.vifamily.ca/library/cft/divorce_05.html#Poverty Emphasis in original)

Thus, for the sake of their children's well being, parents must learn to turn to family mediation first in order to resolve their differences, thereby creating the basis upon which their offspring will learn to effectively manage their own conflicts in the future. ■

Please Don't Let Me Go, Papa!

By Ricaardoe Di Done

2003, 324 Pages
CDN\$ 24.95*

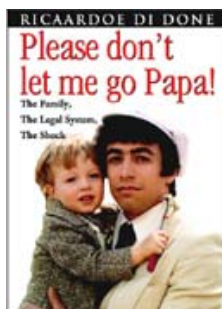
A true story that makes the case for more humane methods of resolving family conflicts involving children, Please don't let me go papa!

relates in poignant and compelling language the gripping and turbulent 16-year journey of a father through an almost unbelievable maze of legal bickering as he struggles to maintain a vital relationship with his natural son; The book describes the living nightmare that is shared by countless couples and their children; It puts into print what so many parents, both men and women, express only to friends and confidants; and provides concrete and achievable recommendations to our legal and social structures to ensure the best interests of children and parents in the midst of separation, divorce, custody and access disputes.

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Book Review

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Message from the President

and divorced parents. It illustrates, on behalf of the countless children and parents who are caught in similar situations, why changes need to be made to our legal and social structures, to ensure that children do not become the tool of animosity between adults/parents who no longer live together."

While the couple is not a couple anymore, they remain parents for the rest of their lives and must, therefore, continue to cooperate when it comes to the best interests of their children. This is why we encourage mediation in a "normal" divorce or separation since the parents will continue to have to deal with each other when they are handling any issue affecting their children. After all, it is only through witnessing a healthy parental dialogue that our children will flourish and grow up to appreciate the benefits of resolving conflicts in a harmonious manner. ■

Week of the Young Child

April 2 - 8, 2006 is Week of the Young Child, and the theme for the year is 'Building Better Futures for All Children'. During the week

exciting events are planned to celebrate children and raise awareness of their needs. For more information on planning events, visit

<http://www.naeyc.org/about/woyc/>



Events

Key Facts and Resources:

Working families need child care and supportive employer policies to be able to meet the needs of their young children throughout the day.

In the United States, the majority of mothers with children under age 18 work, including 59% of those with infants and 74% of those with school-aged children.

Approximately 13 million infants, toddlers, and preschool children are regularly in non-parental care in the United States, including 45% of children younger than one year.

The Census Bureau reports that approximately 50% of working families rely on child care providers to help them care for their children while they work; 25% rely on relatives for child care; and nearly 25% arrange work schedules so that no child care is needed (e.g. parents work different hours or days; one parent works during school hours and is home after school).

Children, especially those from low-income families, need better access to high-quality early childhood programs.

Research shows that high-quality early childhood programs help children—especially those from families with low-incomes—develop the skills they need to succeed in school. However, most programs in the United States are rated mediocre, and fewer than 10% meet

Week of the Young Child



national accreditation standards. Across the nation child care fees average \$4,000 to \$10,000 per year, exceeding the cost of public universities in most states. Yet, nationally only 1 in 7 children who are financially eligible for child care subsidies is being served, and only 41% of 3 and 4 year old children living in poverty are enrolled in preschool, compared to 58% of those whose families have higher incomes.

Communities are becoming increasingly diverse and in order for early childhood educators to be effective they must be sensitive and responsive to children's cultural and linguistic backgrounds. If current population trends continue, by the year 2010 55% of America's children will be white, 22% will be Hispanic, 16% will be black, and 6% will be Asian or Pacific Islander.

Too many children in the United States live in poverty, without good nutrition and health care.

In the United States 18% of children under age 18 and 24% of children under age 6 live in poverty. It is estimated that 12 million children do not have enough food to meet their basic needs and approximately 3.2 million are suffering from hunger.

In the United States 15% of children under age 18—and 24% of those living in poverty—are not covered by health insurance.

Approximately one-third of children and nearly one-half of black children born in the United States have at least one health risk at birth.

More than 20% of 2-year-olds in the United States are not fully immunized.

What can be done?

Federal, state and local government, communities, parents, and the private sector must share in the responsibility of ensuring the well-being of children and families. We can and must do more to create opportunities that help all children and families succeed. We can invest now in our children and families and enjoy long-term savings, with a more vibrant nation of healthy, achieving children and more stable families. Or we can fail to make the investment and pay the price: increased delinquency, greater educational failures, lowered productivity, less economic competitiveness, and fewer adults prepared to be effective, loving parents to the next generation of children.

The Week of the Young Child is an opportunity for programs, NAEYC Affiliates, related organizations, communities, and states to focus on the needs of young children and their families. There are countless ways to celebrate the week, which is first and foremost a grassroots effort. Use the online Guide to WOYC Celebrations for suggested strategies for involving

community partners, activity ideas, resources, and groups to contact.

Resources for state and local data on children and families:

Annie E. Casey Foundation: the annual Kids Count report provides state-by-state data on key indicators of children's well being. Visit their Web site at <http://www.aecf.org/kidscount/databook/> or call 410-547-6600.

Children's Defense Fund: produces a number of reports about children and how states are meeting their needs. Visit their Web site at <http://www.childrensdefense.org> or call 202-628-8787.

Federal Interagency Forum on Child and Family Statistics: releases an annual report entitled, America's Children: Key National Indicators of Well-Being. Visit their Web site at <http://www.childstats.gov> or call the National Maternal Child Health Clearinghouse at 703-356-1964.

National Center for Education Statistics: provides online access to education databases and updates national statistics on an annual basis in reports, such as The Condition of Education. Visit their Web site at <http://nces.ed.gov/> or call 202-502-7300.

National Child Care Information Center: provides links to child care research, state child care profiles and a searchable, online database with state-by-state information about children and child care. Visit their Web site at <http://nccic.org> or call 800-616-2242.

(National Association for the Education of Young Children)

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