

# Some parents have violent noisy battles: like my mom and dad ...

**A**FTER more than a decade working the Irish courts, a family law practitioner says the system is failing our children.

"I had a client in my office a couple of weeks ago," says solicitor Noel Doherty, a partner with Fitzgerald Solicitors in Cork. "He had a split family, with a 23-year-old and a seven-year-old at either end. He was going through a very, very serious parental conflict situation. He'd had a long marriage and they were fighting on a constant basis. The children were being exposed to this."

"I told him what I know, what I've learned from books and psychologists. I told him that the outcomes for his children were going to include difficulties in education and difficulties with relationships. He started crying across the desk from me. 'You have described my eldest son,' he said."

"My clients work up to a date in court. When they get there, the courts are crowded. There may be 20 or 30 cases on the list. Decisions are being made that are crucial to their families, but what time does the court have to give to it? Their case may not even be heard."

The courts system, with its repeated adjournments, creates colossal stress for people already suffering relationship breakdown. And inevitably, the children of those relationships slip beneath the radar.

"Very few adult clients of mine did not consider that they were doing their best for their children," Doherty says. "But the difficulties and the grief and the hurt and the financial strains often prevent them from doing that. And there is no mechanism for me, as their lawyer, to bring in the children's voice."

Doherty is determined to do something about this mess by bringing an American child-centred programme to Ireland.

Kids' Turn was created by a San Francisco family law judge in 1989 after she had spent years adjudicating messy separations. Designed to address the lack of provisions helping families in the courts to deal with relationship breakdown, Doherty says the six-week programme has helped more than 10,000 parents and children come to terms with, and de-stigmatise, separation.

"This is a major step for family law in Ireland," says Doherty. "The European Convention on Human Rights, the European Convention on the Rights of the Child — the legislation all pays lip service to the voice of the child. Kids' Turn Ireland won't bring that voice to court, but it will include it in the parental decision-making process around the time of a break-up." Doherty first encountered the programme when Jennifer Jackson, one of its founders, gave a presentation at a conference at Fota in Co Cork last May. It made quite an impact, he says.

Family disintegration is one of the major life events a person can deal with, agrees psychologist Michael Van Aswegen, also involved in the Kids' Turn programme. Chronic parental conflict can present children with a situation where they would feel very insecure and very agitated, he says. "They would feel a sense of helplessness and distress, and the long-term outcomes for children can be extremely poor," explains Van Aswegen.

Children affected by relationship breakdown can experience a decrease in performance at school, associated mood disorders and an impact on their own relationships in adulthood, he adds.

And the problem is growing. Census 2006 found divorce to be the fastest-growing marital status in Ireland, up 70% in four years (albeit from a relatively low base). Irish family breakdown rates now approximate those in Britain and the US — ie between one in three and one in four families, says Van Aswegen.

"In the current economic climate we're going to see an increase in the level of stress on parents. And with that, no doubt, a concomitant increase in the level of family breakdown in the next year or so."

While the courts continue to treat children as an afterthought, Doherty believes parents can also be guilty of not prioritising their kids' welfare. "I have regularly experienced situations where parents were unable to see the damage that they were doing to their children as a result of the conflict that was raging between them," he says.

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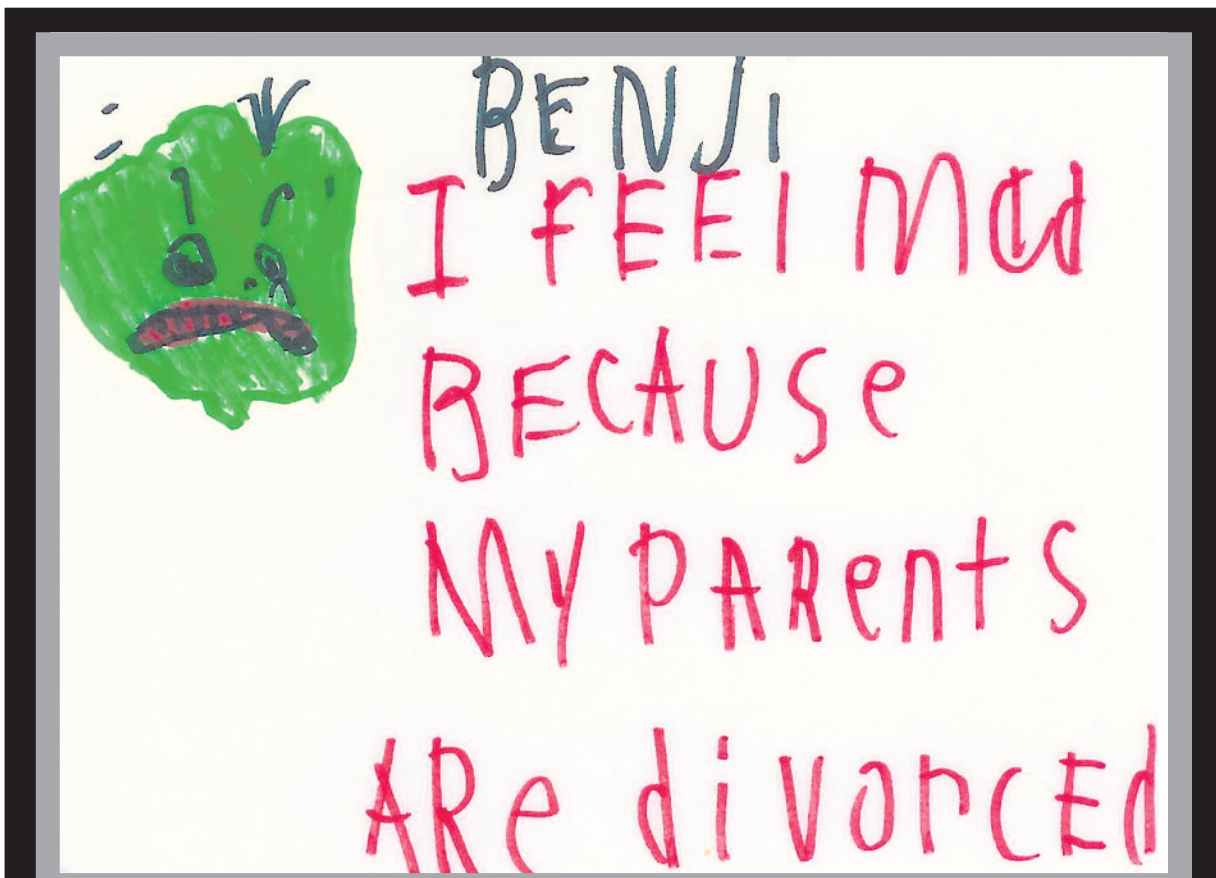
Kids' Turn Ireland will help fill the gap, he believes. Having franchised the curriculum from San Francisco, Doherty has set up a steering group of 10 (including Van Aswegen, other psychologists, mediators, family law solicitors and several guardians ad litem for Barnardos), and hopes to launch a pilot programme in Cork before summer. From there, he says he will roll Kids' Turn out all over Ireland.

So what does the six-week programme entail? First off, both parents and children (aged 4-18) are expected to attend. Families can be separating, or separated for several years. In the workshops, parents join separate groups, and children are also split into distinct, age-appropriate groups.

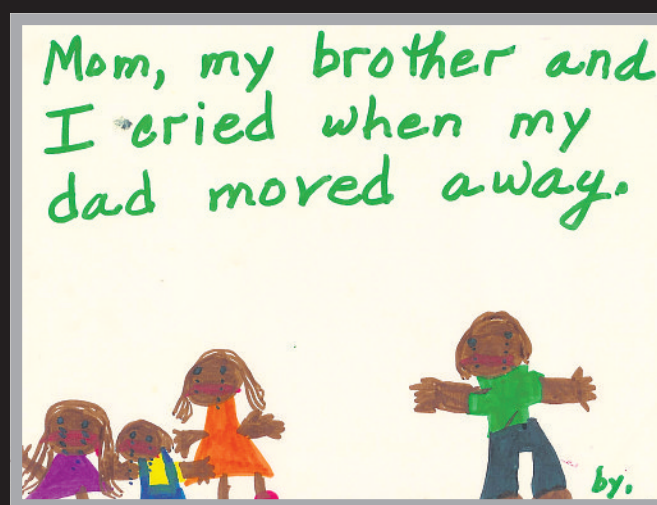
Led by experts in marital breakdown, the aim of these groups is to provide a safe place where kids can learn to cope with changes in their families, where adults develop parenting skills to support their children through family reorganisation, and where everyone learns communication and problem-solving skills to work through the experience.

"The important thing to emphasise is that we're not asking people to sit down and spill their guts," Van Aswegen says. Kids' Turn is about education rather than counselling.

"Naturally, there are therapeutic spin-offs, but it is an educative programme. What I've found in working with families going through divorce and separation is that they have been very hungry for information as to how to pro-



A series of pictures by children from the Kids' Turn programme depicting how they feel about life with parents who are divorced or in the process of separating. Kid's Turn uses expert-led groups that aim to give children a voice during this difficult time.



ceed with what is a very daunting and challenging task."

The curriculum seems highly practical. One session involves a judge coming in to talk children through the legal aspects of divorce. Another feeds what children say back to parents in the form of a weekly magazine.

"It's not met with guilt or a bad reaction," Doherty says. "The parents have the support of other parents, and a highly-trained facilitator helps them deal with the issues that are arising."

"If people get divorced, why do they marry?" asks one young participant in a testimonial on the Kids' Turn website. "From this event I have learned to expect the unexpected, and that things that I have no control over will happen a lot. Kids, be prepared for a heavy blow because it might come. Parents, work out any problems you might have, the consequences of you not working them out could be your kid writing an essay like this about what you did wrong."

Doherty says Irish judges have been supportive of his initiative.

"We have received contributions from the court poor box, which we're grateful for as seed money. They see the limitations of the legal process in dealing with children in difficulty, and they're very enthusiastic about it."

He admits, however, that funding will be a problem. Kids' Turn workshops are free to children; parents are charged depending on their ability to pay. It will cost a substantial amount to get the pilot up and running, still more to roll

**"If I'm good, will they get back together again?"**

**QUESTIONS CHILDREN ASK WHEN PARENTS BREAK UP**

**Why don't my parents get along?**

Sometimes parents grow apart, for reasons no one else understands. They may like different things, and want to do different things from each other. Because of this they begin to argue, and then they become more and more unhappy. One thing to remember is that parents NEVER stop loving their children. Just because parents don't love each other, it does not mean that they stop loving their children.

**Was the divorce my fault?**

No. Divorce is never the child's fault. Divorce is something that happens between two adults and it is not because of anything that a child does.

**Do my parents still love me?**

Yes they do. Ask them, and they will tell you. The divorce was not your fault, and your parents are not angry with you.

**Who will take care of me?**

Your parents will still take care of you. Your parents will probably decide to live in separate places. You may only live with one parent, or you may live with one parent sometimes, and with the other parent at other times. If you spend time with each parent, and you get confused, ask them to help you. Maybe you can figure out a way to make the schedule easier.

**If I'm good, will they get back together again?**

No. You may think that if you are good your parents will stop being angry at each other. This is not true. Keeping your room clean won't bring them back together. Trying to get along with your brother or sister won't bring them back together. It is their decision, and whether you are good OR bad does not change their decision to separate.

**What can I do when they yell at each other?**

You can leave the room. You can ask them not to fight in front of you. You can go to your room and shut the door. You can write them a letter and tell them how much it hurts you when they argue with each other. You can go to someone else's house (ask permission first, though). You can turn on the TV and try not to listen to them.

— KidsTurn.org/Michael Van Aswegen



Noel Doherty and Michael Van Aswegen are hoping to set up the Kids' Turn programme in Ireland before the summer. Picture Dan Linehan

Parents, children or potential donors interested in getting involved with Kids' Turn should contact Noel Doherty by emailing noeldoherty@fitsols.com.