

Putting Children First in Divorce Proceedings



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Each year, a staggering number of children in Jersey experience the separation of their parents. If your relationship is at an end, and separation or divorce is contemplated, it is likely that your biggest concern will be what will happen to your children.

How can you make the process of separation easier on your children?

Children need to be placed at the centre of all decisions made following separation or divorce. Ensuring a child is put first is well reflected in the Children (Jersey) Law and the Court's first consideration is always the welfare of the child. Once you and your partner have decided with certainty that you are going to separate or divorce, you will need to address how you will tell your children.

Telling your children

Children will experience a wide range of emotions when separation or divorce occurs and as every child is different, they will react differently to the news. In a period of significant change, children will often feel apprehensive about what will happen next. While your relationship with your partner has ended, your role as a parent has not and it is important that this is emphasised to a child.

When a relationship is at an end, often the strongest feelings are of hurt, bitterness and anger. It can seem almost impossible to talk things through with a partner given the emotions prevalent at the time. If you are able to manage your own feelings and opinions about your separation or divorce, it is much better for both parents to be present when children are told. Children benefit from hearing similar messages from their parents so you should discuss beforehand what you will tell your child.

Communication is Key

Whether or not you initiated the separation or divorce, try to view the situation through your child's eyes. In a time of profound sadness and uncertainty, explain to your child what is happening and how life will change. Children's concerns such as when and how they will see each parent, where they will live and go to school, how they will spend time with important family members and friends and how life will be different must be addressed. Together as parents, your focus should be on raising your child in the best possible way.

Consistency and routine is important to children so they should continue to partake in activities and hobbies they enjoy. Communicate with your children throughout the process and make them feel involved in the decision making.

How to ease the process

- It is essential that children are sheltered from adult disagreements, as being exposed to conflict that ensues from a separation is damaging to children.
- In difficult situations, children may feel guilty or responsible for what has happened in the family so they need to understand that your separation or divorce has nothing to do with them or their behaviour and that there is nothing they can do to change what is happening.
- Regardless of how you feel about each other, it is important that regular contact with both parents is supported and maintained.
- Children need to feel loved and cared for by both parents and should be given the support and space they need to safely express how they feel.
- One of the most important skills you can possess is being a good listener. Allow children to ask questions and reassure them that their feelings are normal.

Resolving arrangements for children outside of the court process reduces conflict and minimises the impact this change will have on the family, and most importantly your children. It helps your family stay in control of arrangements for children and ensures that your children's needs remain the central focus.