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**WELLCHI NETWORK**

**The well-being of children: The impact of changing family forms, working conditions of parents, social policy and legislative measures**

COORDINATION ACTION

Priority 7: Citizens and governance in a knowledge –based society

**Deliverable 8:**  
**Report on the contribution to the Workshop**  
**Which are the Provisions in Family Law that Foster Children’s Well-being and which Kind of Reforms should be envisaged in this Respect?**

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<b>PP</b>	Restricted to other programme participants (including the Commission)	
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<b>CO</b>	Confidential, only for members of the consortium (including the Commission Services)	

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**Workshop 2**  
**“Which are the legal provisions in Family Law that foster children’s well-being  
and which kind of reforms should be envisaged in this respect?”**  
15-16 April, 2005-06-06

Organised by  
Institute for Legal Studies – Bulgarian Academy of Sciences

## **1. AIMS**

The aim of the second Workshop of the Network was to create a space for debate on the current legislative provisions in European countries targeting the well being of children. The focus of the discussion were not only laws regulating the family relations but also the laws on social protection as well as some trends in the legislative and social policies concerning issues of divorce and post divorce arrangements, parenting after separation, child poverty and single parenthood, public protection of children. Speakers were invited from the Network partners but also amongst international experts who could address the above issues including academics from the host country – Bulgaria.

## **2. THE WORKSHOP**

### **2.1. Session one – Family Law and the Well being of Children**

The first paper was presented by Ms. **Mavis MacLean** from the University of Oxford – Oxford Centre for Family Law and Policy, UK. Her paper was entitled “*Conflicted Contact and Family Law Reform. Legislative Caution in Family Disputes*”. Ms. MacLean outlined the UK experience in family law reform, questioning rapid legal reforms that try to reflect different social claims against the law. Western societies are facing fathers’ discontent from the arrangement and enforcement of contact with their children. The author suggests the reasons are: changes in the work life balance for men and women causing more involvement of fathers in child care as well as the human rights discourse in the area of family life. Fathers’ but mothers’ groups also claim changes in the law to introduce conflicting presumptions about contact with the child (it is good for the child to spend time with both parents unless it is not in her/his best’s interests). The government however has not taken that way. The current legal situation actually could satisfy both sides with the Children Act. It brings together all aspects of the law in this area stating that the welfare of the child is of paramount consideration.

To address the problem with that small proportion of parents (around 10 %) that are not able to agree on contact issues after the separation and based on research evidences, the UK Government initiated a Family resolutions Pilot Project in three locations of the country). The Project offers a three sessions’ scheme to parents who approach the court with a dispute. The first session helps parents to better understand the child’s point of view and to focus on it rather than on their conflicting claims. The second session helps parents to understand the position of the other thus enabling them to begin to manage their conflict. The third session should lead to practical outcomes – parents are supported to arrange their post separation parenting. The scheme is funded by the Government and is not mandatory.

The paper of Ms. MacLean set out two issues for the Network to consider over the next discussions:

- ❑ Despite the legislature is often challenged with claims for reforms, it should respond with caution. A modest proposal for service development, grounded in research, may be more effective than statutory reform. Changing the law doesn't necessarily means changing the behaviour.
- ❑ Welfare of children should not be challenged by the rights of parents.

The second paper of this session was presented by **Professor Lluís Flaquer** from the Institute of Childhood and Urban World, Sociology Department, Universitat Autònoma de Barcelona – the WELLCHI Project Coordinator. The title of the paper was “*Individualisation and Child Poverty in Southern Europe*”. The paper discussed, based on evidences coming from statistical and research data, the growing individualisation in the countries of South Europe which is linked to increasing child poverty. The increasing female labour market participation is a common trend in that region. It has dual influence on the well being of families and children. On one hand it leads to more prosperity and a good life for most families, in particular more economic independence and social protection for working women. The economic empowerment of women could however cause a growth of marital instability (since the marriage becomes less an act of economic necessity and more a question of personal choice) and a growth of fertility outside marriage which means increase of single parenthood.

On the other hand, the increasing female labour market participation reveals a number of gender disparities and thus has made apparent a need for conciliation between work and family. The paper suggested that (when average standard of living takes for granted double income) households with a single breadwinner have faced higher poverty risks. When this is combined with the gender inequalities at the labour market and high prices of family services with respect to the salaries, it could have adverse effects on the well being of children in single families. The paper demonstrated data suggesting that Southern European societies have the least child-friendly systems of social protection in the EU which is among the reasons for the deterioration of the well-being of children and their families (with the notable exception of Greece).

The recommendations were formulated in two directions:

- **Changes in the politics:** the welfare system should reflect the change in societies. Family diversity calls for the implication of policies of equal opportunity for all children and requires combating any kind of possible discrimination amongst them irrespective of the type of family households in which they live. This requires also more political attention particularly for ensuring conciliation between work and family life and gender equality.
- **Better coordination between researchers and policy-makers is needed:** in two similar but distant institutional fields such as Family law and Social and family policies. The harmonisation of both legal norms and statistical sources becomes essential. EUROSTAT has to take into consideration the need to fill the gap of comparable data in the EU in terms of maintenance payments, break up of consensual separation and flux of divorces.

**Professor Tzanka Tzankova** from the Law Faculty, Sofia University, presented the last paper from the first session titled: “*The Well being of Children and the Bulgarian Family Law*”. The leading point of the presentation was that the legislation in Bulgaria is focused on the responsibilities of the parents to ensure the well being of children

and on the opportunities of the state to support parents in their roles. The family legislation operates with the legal term “well-being of children”. Not only the Family Code but also the Constitution and the Child Protection Act oblige the parents to provide for the well being of children.

The paper presented a brief overview of the relevant laws and of the new laws that were passed recently – Child Protection Act in 2000 (amended in 2003), Civil Registration Act, Act on Protection against Domestic Violence and amendments to the Family Code of 2003 profoundly changing the adoption procedure. The author has suggested that the Bulgarian family law faces two challenges at the moment. They are: the settling of a new type of property relations between the spouses – the establishment of a new regime of marital property management; and recognition by law of de facto cohabitation and settling some of its effects. Response to them needs not necessarily be related to the adoption of a new Family Code. The areas in which the recognition of cohabitation de facto is important are: property relations; the relations of the partners with third parties with regard to the maintenance and the provision of their mutual life; and the status of the children born in the de facto cohabitation. The problems related to children that should be taken into consideration by the law makers are: **origin** (an overall solution to the problem of origin as from the birth of the child is the establishment of a presumption of fatherhood in cohabitation de facto); **parental rights** and **child support** (these could be deal with by the parents in agreements reached between them).

## **2.2 Session 2: Parents and Children: Law and the Policy for Well Being of children**

The guest speaker **Professor Kirsten Scheiwe** presented the first paper of this session from the University of Hildesheim, Germany. The title of her paper was “*Parental education, public education – a shifting balance. Some remarks on recent developments in Germany*”. The paper went beyond the Family law and discussed the well being of children and the reforms in the field of education. It elaborated on issues such as: balance between private rights and obligations and public interventions in the field of education of children; interdependency between family care and public schooling for young children; social situation and the legal framework on the case of the ‘Day Care Development Act 2005’ in the FRG with its particular institutional features: the importance of federalism and the strong position of the Federal Supreme Court.

The speaker discussed the divided roles and responsibilities between the parents and the state in education of children particularly in the light of currently increasing societal needs of qualifications and competences of individuals in a so-called ‘knowledge-based society’. She focused on the early childhood education of children below school age that has been gaining more public attention over the last years in Germany. The paper critically examined the slow political and institutional reaction that was expected to increase the public involvement in childcare. In order to improve the situation mainly in the old Länder of the FRG and to strive for compliance with the EU benchmarks to provide places for 33% of all young children up to the year 2010, in 2004 a draft statute was brought into parliamentary debate which involved reforms of public day-care provision as well as reforms of youth welfare law. The paper further examined the parliamentary debates over this Draft.

The paper argued that a change in the relation (and regulation) of private (mainly maternal) and public education for young children in the FRG is urgently needed, but

is very slow or even blocked due to legal and institutional features, and explored these institutional aspects more in depth.

The next paper of the session, titled: “*The Changing Patterns for Socialization of Children in Bulgaria*” was delivered by **Professor Vassil Prodanov** from the Institute for Philosophical Research, BAS. The paper touched upon the issues like the extend and means of public intervention in moral upbringing of children. It argued that the well being of children is linked to their moral socialization and the state should assume its role not only in education but also in socialization and moral rearing of children. On the basis of examples from the close history and the contemporary Bulgarian society the author critically discussed the decreasing involvement of the state in moral education of the young generations. The paper suggested that the Bulgarian state has followed, after having gained independence from the Ottoman empire, the experience of the national states in Western Europe in response to the situation of erosion of the characteristics of socialisation patterns traditional for the agrarian society. So, the obligatory military service, the large sports organisations, the compulsory education at various levels, specialised children and youth organisations, and patriotic, nationalistic and ideological organisations began to forge the new legislative fundamentals for the individuals separated from their traditional environment.

Similar developments occurred in the period between the 1950s and the 1980s, however, within a different ideological and political environment. In this situation, a new series of child and youth organisations were established. From the communist child and pupil organisations to the youth Komsomol, covering all children and young people which, although under the flag of a certain ideology, played a socialisation role resulting in low rates of crime and little deviant behaviour among the young generation. The collapse of the state socialism demolished the preceding systems of socialisation and education of children, teenagers and youth. It replicated in the collapse of all other controlling systems in society, but nothing came in their stead. The state neglected the moral education. The Ministry of Education has declared for instance that it is not for the public education system to care for the formation of values of children but for their parents. The State Agency for Child Protection focuses on children’s rights and their protection, whereas the problems of socialisation and education are almost missing or have been touched upon only within the context of the rights, but, actually, there are no profound social mechanisms to carry them out. For many reasons the Orthodoxy also does not exhibit sufficient capacity to replace the crashing systems of education and socialisation.

The paper further argued that the Bulgarian society is in need of a neo-conservative revolution in the area of morals and upbringing. It is the neo-conservative parties that are vigilant about the society’s values and the mechanisms of their enforcement. They fight against pornography, prostitution, violence and primitivism in the media, against Big Brother, for the upbringing of our children a curfew up to the age of 21 and the ban on the use of alcohol before this age. In such a context a series of activities were recommended, through which the public could intervene in the process of child socialisation:

- A much more active role of the state in the exercise of control on the media environment, Internet clubs, Internet service providers from the perspective of decency and indecency, and compliance of the offered content with certain ethic norms.
- Intense action of the state in the establishment of children’s, teenage and youth organisations of various standing, which would develop artistic and social self

initiatives and would contribute for the assumption of social roles by the children.

- Subjection of Bulgarian schooling curricula to such key upbringing objectives as ethnic socialisation and national identity.
- Development of the legislative regulations for extracurricular and out-of-school activities.
- Introduction of school insignia such as uniforms, school flags, badges, divisions, etc.
- Full-day attendance, especially for the children from poor families, which are most affected by the problems of school preparation and socialisation. In addition to the solutions for school dropouts, improvement of educational quality and the issues of socialisation, especially until the eighth grade.

The next paper of the session was the one of **Professor Judith Masson** from Warwick University, UK titled "*Securing the relationship between carers and children - trial and error in England*". The paper focused on the need for some legislative changes in order to improve the relationship between the child and the person that is not a parent but is taking care for the child.

The presentation of Prof. Masson considered the need for those caring for children, who are not parents to have a legal status, and examined the varying processes, which have been used in English law to secure such a status. It discussed whether recognition of the responsibility of caring for a child might provide a better basis for giving carers powers than formal orders or agreements conferring 'parental responsibility.' It addressed 2 questions: 1/ Is formal recognition of non-parental carers necessary? 2/ What are the appropriate mechanisms for providing such recognition?

The paper focused on some features of the English law: the separation of parenthood from parental responsibility as well as the not clear legal definition of the concept of parental responsibility (previously termed legal custody). It is also important to note that particularly after the Children Act 1989, parental rights are always subject to the rights of the child and others under the ECHR, the courts have the power to make orders on the basis of the child's best interests and the local authority have a duty of to intervene to protect the child from significant harm.

The paper presented some significant social developments that have occurred recently. The need to formalise caring relationships in order to secure stable families for children was assumed by main stakeholders despite the little evidence that carers feel the need for formal powers, or experience difficulties in the ordinary course of life if they do not obtain them. Adoption was rejected as a mechanism for creating legal relationships after remarriage or within extended families and the need to remove artificial barriers to court orders in favour of non parents was conceptualised. All those grounded some modern developments of English law for children and families. It is now possible for people other than parents and guardians to obtain parental responsibility for children without formally ending the relationship with parents as occurs through adoption. It could be done either via court intervention issuing a *residence order* or a *special guardianship* or via private agreements – eg between step-parents and child's parents (under the Adoption and Children Act 2002, to be implemented in autumn 2005).

Conclusions have been made that:

1. Legal frameworks should consider those who do parenting not just those who are parents,

## 2. These mechanisms impact on balance of the relationships in families

**Prof. Tzvetana Kamenova** from the Institute for Legal Studies, BAS was the next speaker. She presented a paper on the “*International Child Abduction Convention and its application in Bulgaria*”. The Abduction Convention was ratified by Bulgaria in 2003. Following this ratification, changes were introduced in the Civil Procedure Code in order to guarantee the application of the convention. The paper argued that the sooner the concepts and mechanisms of the convention are incorporated in the practice of lawyers and judges, the better will be protection of children’s interests in cases of abduction. Some cases were discussed to present the challenges that child abduction imposes to the judicial and child protection system in Bulgaria.

### 2.3. Session 3: Children and the Law

The last session of the Workshop started with the paper ‘*Children’s Narratives of Post-Divorce Family Life: From individual experience to a new social ethic*’ of **Professor Carol Smart** from the Centre for Research on Family, Kinship & Childhood, University of Leeds, UK

This paper drew on interviews with 60 children and young people (whose parents have divorced) to explore how they construct narrative accounts of post-divorce family life. Rather than seeking to describe children’s experiences, the focus of the paper was on how young people position themselves in their narratives and the extent to which they depict themselves as victims and/or blame their parents. Elements of the narratives were: Children’s emotions and feelings now and in the past; Emotions and feelings of family members; Actual event and recollections; Gaps in knowledge and understanding; Current uncertainties; Future hopes and expectations’ Post-divorce family life. The typology of stories that came out from the interviews with children actually covered the various post divorce situations. The simple story is constructed when one parent leaves, and the child stays with the other. The complex story emerges when for instance parents re-partner rapidly, or there are alcohol or mental problems. More complex becomes the story when the parent re-partners with one of the same sex. The story may be called ‘tranquil’ when the relations develop in a relatively calm way. In contrast, turbulent story involves a high conflict or on-going conflicts between parents.

The conclusion turns to the question of whether these individual accounts can give rise to a social ethic in which children’s experiences can inform how to divorce ‘in the proper manner’. Therefore the outcomes of such researches could help in development of services supporting divorcing couples and the children involved in divorce. The ‘new social ethic’ actually reflects the children’s views and emotions around the divorce that must be taken into account by the adults.

**Dr. Caroline Sawyer** from OXFLAP and Oxford Brookes University, UK presented the paper “*The Newest Europeans: children’s legal status as a guarantee of their well being*”. The paper examined the existing inconsistency among the concept of children’s rights, including their right for their own views to be heard, which were reflected in the legislation in Britain, especially the Children Act 1989 and the reality that suggests for misuse of that legislation. The paper proves that this is not only a national problem but a problem for international conventions and their application too.

In that context the presentation argued that it is not constructive to relate to children the concept of ‘legal rights’ because children are restricted from access to courts to apply for their rights. This reality reflects the state and family paternalism to children.



In addition the Family law is not protective to children as individuals because links them to the family unit. A striking example was given with the European Convention on Human Rights that is supposed to give everyone protection from state interference, or from non-state interference to which the state turns a blind eye. But the Strasbourg jurisprudence may not protect children when their individual rights conflict with parental rights. In the UK context, the ECHR has not allowed children to resist assault by parents or those acting in their place by using the provisions of Article 3, relating to inhuman and degrading treatment, even though similar assaults on adults would be a criminal offence (see *A v UK*(1998) 27 EHRR 611). Nor has it allowed children to use the provisions of Article 8, the right to respect for one's family life, to keep foreign parents with them in the country. The latter has meant that children have been effectively, if informally, expelled from their own countries.

The paper proved that the EU law could be more useful for children despite that its origins are firmly based in free market ideas within which children are not likely actors or persons. The remit of the European Court of Justice does include dealing with cases that fall within the usual sphere of child law, such as the enforcement of maintenance, and it has recently taken decisions that put children at the heart of family as well as citizenship rights (see *Baumbast and R v SSHD* C-413/99). Its approach has included giving children greater rights than adults because of their greater vulnerability. In doing so, it suggests a legal model that can further both children's rights and children's interests.

The conclusion is that the EU law provides a constructive for children approach viewing them as citizens with own rights. This suggest that family law too might think about the disability of children and where it may bring with it a lack of basic protection against abuse by parents.

**Professor Tatyana Kotzeva** from the Centre for Population Studies, BAS presented the paper "*Changing family forms in Bulgaria: In pursuit for a policy response*". The paper first presented a brief overview of the main demographic changes in Bulgaria related to marriage, family and fertility, which have happened since the early 1990s. They are: postponement of family formation (both marital relationship and entering parenthood), postponement of adulthood and youth emancipation, decrease in fertility, rise in out-of-wedlock births, and growth of cohabitations (both before marriage and in between marriages). Based on official statistics and additionally calculated data, the main trends have been demonstrated: the number and types of households and families, living arrangements of young people, the number of cohabited and single-parental couples, divorced and actually separated couples. The author revealed the main determinants of the new family patterns: increase of students in higher education, limited labour market and high youth unemployment, uncertainty, the challenges of consumer society.

In the second part of the paper the author elaborated on the main principles of the current social policy in Bulgaria towards family and children. A range of measures for raising children has been delineated: maternity and parental leave, children's allowances, childcare facilities, working arrangements for parents, costs for children's education and care as a percentage of GDP, etc. The main conclusions drawn from the analysis concern inefficiency of social policy, imbalances in reconciliation of work and family life for young people, overburden of family members with care responsibilities to infants, aged, sick and disabled people.

The conclusion drawn up was that the effective public social and family policy directed towards development and stability of the family unit and the well-being of its

members should include a set of legal and institutional resources as well as restructuring of public expenditures for families and children.

The next paper of this session was delivered by **Ms. Laura Voneche** from the Institute for Social and Preventive Medicine, University of Geneva, Switzerland. The title of the paper was "*The alternative/ultimate residence of children after divorce*".

The paper started with an overview of the developments in the French Family law after 1970 when the terminology was changed from "parental rights" to "parental authority". Another change happened in 1997 when a "parental shared responsibility" was introduced to acknowledge that the two parents could take care of the child after the separation. The recent change in French legislation of 2002 introduces new patterns for care of children after the separation of parents. It defines the alternative/ultimate residence as a possibility for the two parents to have a shared time with the child (not necessarily 50 to 50). This is a new amendment to the law, though many families have practised such a pattern.

Alternative/ultimate residence focuses on the relation between the members of the family rather than on the status of being a child, a mother, a father (a parent). It makes distinction between being a parent and being a spouse (spouses could separate but still have parental responsibilities).

The paper presented the debates around the alternative/ultimate residence. They concentrated on the following points:

- The best interests of the child - as for the psychologists the child needs to have/live in only one home.
- Gender roles in raising children.
- Can one impose only an alternative/ultimate residence? It is possible only if there is an agreement between the parents.

**Mr. Benoit Bastard** from the National Centre for Scientific Research, Paris, France, presented the last paper of the workshop: "*Maintaining the relationship between children and their imprisoned parent. The French experience of 'Relais Enfants-Parents'*". This paper argued that the contacts between children and parents should be maintained notwithstanding the difficulties imposed by circumstances. The mere fact the parent is in prison should not deprive children from contact with the parent if it is in the best interest of the child.

The paper presented convincing arguments on how maintaining contact became a new norm, both social and legal. They were the growing interests for parent-child-relationship coming from different perspectives. Psychology has been interested in the quality of the parent-child-relationship. Experts in gender equality have argued that the relationship with both parents is important. The lawyers have claimed for the rights of children incorporated in the UNCRC.

That positive environment has encouraged different projects with the aim to support the parent-child-relationship. The paper presented one of them implemented by the NGO 'Relais enfants-parents', which has been working for 20 years to support contacts between children and their imprisoned parent. The project is based on two pre-conditions. The first one is the assumption that, for the children whose parent is in jail, truth is better than lies; that they should not be deprived of the presence of this parent, for any reason, and that they will benefit, for their development, of continuous contacts with him/her. The second one is the supportive environment created by the French Criminal Code. It provides for the administration of the prisons to support the relationships between prisoners and their families.

In conclusion, the paper discussed a study that has been made recently in France. 800 prisoners were interviewed with 110 questionnaires. The results from that study showed that 50 % of the prisoners have contacts with their children (mother agrees the contact) and 50 % do not have contacts because of the following reasons: 1/ children live far away from the prison; 2/ Disrupted families; 3/ Mother does not want her child in the prison and 4/ fathers do not have right to see their children.

### 3. Conclusions

At the conclusion of the Workshop the participants agreed in two directions:

#### **1. Family law is in need for reconstruction to reflect the social changes and the changes in the legal thinking:**

No doubt the regulation of 'parent-child' relationship is crucial for the well being of children. It is particularly obvious when the Family law tries to regulate the post divorce or post separation arrangements for parenting. One clear message here is that the welfare of children should not be challenged by the rights of parents (*Maclean*). The Family law should also try to integrate the established schemes for services to parents to fulfil their parental responsibilities in particular during and after the separation (*Smart, Bastard*).

Beyond the separation, legal frameworks should consider the relations that happen out of the established norms and legal constructs. The Family law should reflect de facto relations to provide them with stability for the well being of children. Here we have in mind parenting out of parentage (*Masson*) and children born in cohabitation (*Tzankova*).

Another very clear message that came out from the Workshop was that despite the legislature is often challenged with claims for reforms, it should respond with caution: changing the law doesn't necessarily means changing the behaviour (*MacLean*).

Family law is challenged now by the international law. The Jurisprudence of European Court of Justice provides unexpected approach to children as citizens thus confronting some comfortable concepts viewing children as legal objects rather than as subjects of legal rights (*Sawyer*).

#### **2. The well being of children is dependant also on changes in other areas of legislation:**

Family law and the changes there are very much interconnected with the changes in social assistance/protection laws providing public support to families and to parents to conciliate their work and family life. For this purpose a harmonisation of both legal norms and statistical sources is needed as well as a restructuring of public expenditures for families and children (*Flaquer, Scheiwe, Kotzeva*).

Dr. Velina Todorova  
Sofia

**Appendix I**

**WELLCHI Network**

Workshop 2

**“Which are the provisions in Family Law that foster children’s well-being and which kind of reforms should be envisaged in this respect”**

Hosted by

**INSTITUTE FOR LEGAL STUDIES - BULGARIAN ACADEMY OF SCIENCES**

Sofia, 15-16 April, 2005

Venue: *Radisson SAS Hotel, Hall 6*, Narodno Sabranie sq., 4, Sofia

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**Programme**

**Friday 15<sup>th</sup> April 2005**

- 9.0            **Registration**
- 9.30           **Introduction** by the Convenors, Prof. Kamenova and V. Todorova
- 9.40           **Session 1: Family Law and the Well being of Children**  
**Mavis MacLean**, University of Oxford, UK  
“Legislative Caution in Family Disputes”  
**Prof. Lluís Flaquer**, Institute of Childhood and Urban World  
Sociology Department, Universitat Autònoma de Barcelona  
“Individualization and Child Poverty in Southern Europe”  
**Prof. Tzanka Tzankova**, Sofia University, Law Faculty  
“Cohabitation in Bulgaria: A need for legal reforms for the well  
being of children”
- 11.15          **Coffee**
- 11.45          **Session 2: Parents and Children: Law and the Policy for Well  
Being of children**  
  
**Prof. Kirsten Scheiwe**, University of Hildesheim, Germany  
“Parental education, public education – a shifting balance.  
Some remarks on recent developments in Germany”  
**Prof. Vassil Prodanov**, Institute for Philosophical Research, BAS  
“The Changing Patterns for Socialization of Children in Bulgaria”
- 13.00          **Lunch Buffet**
- 14.00          **Session 2: Law and the Policy for Well being of Children**  
**Prof. Judith Masson**, Warwick University, UK  
“Securing the relationship between carers and children - trial and  
error in England”  
**Prof. Tzvetana Kamenova**, Institute for Legal Studies, BAS  
“International Child Abduction Convention and its application in  
Bulgaria”
- 15.00 Coffee**

**15.30 - Session 3: Children and the Law**

- 17.00 **Prof. Carol Smart**, Centre for Research on Family, Kinship & Childhood, University of Leeds, UK  
'Children's Narratives of Post-Divorce Family Life: From individual experience to a new social ethic'  
**As. Prof. Tatyana Kotzeva**, Centre for Population Studies, BAS  
'Changing family forms in Bulgaria: In pursuit for a policy response'

7.00 pm **Workshop Dinner**

**Saturday 16<sup>th</sup> April**

9.30 **Session 3: Children and the Law**

- Dr. Caroline Sawyer**, Oxford Brookes University, UK  
"The Newest Europeans: children's legal status as a guarantee of their well-being"  
**Laura Voneche**, Institute for Social and Preventive Medicine, University of Geneva, Switzerland  
Contact centres in France, Switzerland and Italy

11.00 **Coffee**

- 11.30 **Session 3: Children and the Law**  
**Mr. Benoit Bastard**, National Centre for Scientific Research, Paris, France  
**Maintaining the relationship between children and their imprisoned parent. The French experience of 'Relais Enfants -Parents'**

12.30 **Closing**

13.00 **Lunch Buffet**

## Appendix II

### WELLCHI Network

#### Workshop 2

**“Which are the provisions in Family Law that foster children’s well-being and which kind of reforms should be envisaged in this respect”**

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**INSTITUTE FOR LEGAL STUDIES - BULGARIAN ACADEMY OF SCIENCES**

Sofia, 15-16 April, 2005

#### ***List of participants***

Attendees	Institution
<b>Speakers</b>	
Mr. Benoit Bastard	National Centre for Scientific Research, Paris, France
Prof. Carol Smart	Centre for Research on Family, Kinship and Childhood, University of Leeds, UK
Dr. Caroline Sawyer	Oxford Brookes University, UK
Prof. Judith Masson	Warwick University, UK
Prof. Kirsten Scheiwe	University of Hildesheim, Germany
Ms. Laura Voneche	Institute for Social and Preventive Medicine, University of Geneva, Switzerland
Professor Lluís Flaquer	Institute of Childhood and Urban World, Universitat Autònoma de Barcelona Spain
Ms. Mavis MacLean	University of Oxford, UK
Prof. Tatyana Kotzeva	Center for Population Studies – BAS
Prof. Tzanka Tzankova	University of Sofia, Bulgaria
Prof. Tzvetana Kamenova	Institute for Legal Studies – BAS
Prof. Vassil Prodanov	Institute for Philosophical Research – BAS
<b>Invited Guests</b>	
Dr. Irena Ilieva	Institute for Legal Studies – BAS
Krassimir Dimitrov	University of Sofia, Bulgaria
Ms. Deana Kostadinova	State Agency for Child Protection, Bulgaria
Ms. Miglena Baldjieva	Save the Children
Ms. Victoria Nesheva	Ministry of Justice
Ms. Zlatka Mihova	New Bulgarian University

Ms. Gergana Marinova Institute for Legal Studies – BAS

Ms. Ekaterina Getova Institute for Legal Studies – BAS

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