



HKU FAMILY INSTITUTE
香港文學家庭研究院

Report Back on 3rd Regional Symposium of CIFA cum Study Visit Thematic Sharing II Children in Divorce Families

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Duke of Windsor Social Service Building
Hong Kong Council of Social Services

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Outline

- (A) Concern over impact of divorce in children
- (B) Law Reform Commission reports
- (C) Lack of profile and empirical data in HK for policy formulation
& service development
- (D) Collaboration with Judiciary
- (E) Project Plan & Methodology
- (F) Findings of Part I
- (G) Commissioned Study by Family Council

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Concern over impact of divorce on children

- Growing divorce rate: 0.4 per thousand in 1981,
2.5 per thousand in 2006
3.14 per thousand in 2011.
- Breakdown of family relationships-- psychological
and social stressors in adult life and significant
implications on mental health
- About 5% to 10% of divorcees having prolonged
difficulties with resolution, remaining bitter, hostile,
and entrenched in conflict for many years.
- Children become the victim in the process – caught
between parents –split loyalty, feeling of guilt &
abandonment

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Concern over impact of divorce on children - continued

- Worse outcomes on academic achievement,
psychological well being, self concept and social
relations
- Children at higher risk of problem behaviors
though response to divorce for each case is
highly variable
- Positive association between post divorce
handling and well being of children

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Law Reform Commission Reports making a total of 124 recommendations

- Report on Guardianship of Children (Jan 2002)
- Report on International Parental Child Abduction (April 2002)
- Report on The Family Dispute Resolution Process (March 2003)
- Report on Child Custody & Access (March 2005)
- Consultation Paper on Child Custody & Access in 2011

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Lack of profile & empirical data in HK for policy formulation & service development

- Judiciary –Family Court
- Census & Statistics Department
- Social Welfare Department
- Non-Governmental Organizations

- Incomplete & unable to provide a comprehensive picture on the situation of divorce in HK, especially how it impacts upon children involved in divorce families
- Implications on policy formulation & service development

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Children In Divorce Families Project initiated by HKUFI

- Multi-disciplinary team representing expertise from psychology, social work, policy making and family therapy
- Team members:
 - ✦ Dr. Lee Wai Yung, Founding Director of HKUFI, internationally renowned family therapy trainer
 - ✦ Mrs. Patricia Chu, Ex- Deputy Director of Social Welfare, Associate Director of HKUFI and Chairperson of CIFA
 - ✦ Prof. Paul Yip, Director of the HKJC Centre for Suicide Research & Prevention, HKU
 - ✦ Dr. Helena Yuen, Founder & Managing Mediator of the Conflict Resolution Centre, accredited mediator & supervisor of HK International Arbitration Centre

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Collaboration with Judiciary

- Engagement of Judiciary to sound out the proposal with Family Court Judges
- Getting consent for collaboration –access to case files with undertaking on confidentiality
- Selection of sample
- Briefing of staff of Family Court Registry, provision of office accommodation
- Regular dialogue to sort out operational issues & update progress

Children in Divorce Families Project

➤ Objectives

- ✦ To establish a profile of divorce families in HK
- ✦ To understand the attributions of parental conflict on children in divorce families
- ✦ To develop a culturally sensitive & relevant divorce education package

Project plan & Methodology—Part I

- Data Mining of divorce cases in Family Court to establish profile:
 - ✦ demographic
 - ✦ socioeconomic
 - ✦ characteristics of families
 - ✦ issues they have to deal with
 - ✦ how the family navigates through the system
 - ✦ impact on children. etc

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Project Plan & Methodology Part I-continued

- Random sample of 300 case each year over a period of time (1999,2004,2009) to establish profile/trend
- Pilot test of a specially designed Data Input Sheet to capture case profile
- Field work to collect data
- Data compilation & Analysis

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Project Plan & Methodology—Part II

- Qualitative study on attribution of parental conflict on children in divorce families
- Sample of 20 cases with children facing parental separation or divorce
- Use of a validated protocol to capture the interaction between couple
- Measure physiological responses by bio-feedback machine

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Project Plan & Methodology Part II- continued

- Decoding the responses to identify attributions/themes of parental conflict on children
- Debriefing session for parents and children to raise awareness and empowerment for change
- Session video-taped to provide evidence & clinical data for analysis & development of evidence based treatment model

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Project Plan & Methodology–Part III

- Comparison/correlation between findings of Part I & II for development of culturally relevant & user friendly package
- Involvement of social workers, family lawyers, psychologists etc in focus groups
- Training of professionals
- Promotion through media and related websites
- Inform policy making & procedural changes in Judiciary & social service systems in handling divorce cases

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Key Findings of Part I

- Average length of marriage– 11 to 12 years all cases, with cross border divorce of 9 years
- Age gap among couple
 - ✦ Cross border divorces 7.2 to 13.1 years
 - ✦ HK divorces 3.7 to 4.6 years
- Number of petitions is close to double the number of joint applications,
- Ground of divorce—majority stated living apart for at least 1 year with consent

Key Findings of Part I - continued

- Majority of petitions filed by females amongst HK divorces (at a ratio of 2:1)
- Cross border divorces, similar proportion of HK males & Mainland females file divorce petitions (at a ratio of 1:1)
- First marriage for both parties—
 - ✦ Over 80% amongst HK couple
 - ✦ Less than 30% of cross border couples

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Key findings of Part I - continued

- Increasing proportion of couples without children filing divorce
- Majority of children aged 6 to 12 years old in primary education
- Higher percentage of fathers living with child prior to divorce proceedings
- Increase in percentage of fathers & grandparents involved in caring & upbringing of child prior to divorce

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Key findings of Part I - continued

- First issue to be dealt with by court:
 - ✦ Court related cost
 - ✦ Child Custody/access
 - ✦ Maintenance for spouse
 - ✦ Children
 - ✦ Arrangement of property
 - ✦ Other ancillary relief

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Key findings of Part I - continued

- Percentage of fathers/mothers granted child custody remain relatively stable, with slight increase trend in fathers granted custody
- Larger percentage of mothers still granted child custody
- Fathers more likely to be financially supporting the child
- Large majority of children from cross border or mainland divorces are born in China compared with couples from HK

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Observations & Recommendations

- Data collected only portrays a partial picture of the divorce phenomenon, especially that on children & couple relationship
- Family court may consider to collect more data on risk factors (mental & physical health status, previous marriage/breakdown, family violence etc) to inform decision making.
- Matching with data from married couple to provide better understanding of risk factors leading to breakup in marriage recommended

Observations & Recommendations - continued

- Further research on differences between local & cross border divorces and longitudinal cohort study recommended
- Longitudinal prospective cohort study recommended to compare differences in attitude towards divorce amongst different cohorts.
- Culturally relevant “Divorce Education Programs” to be developed to better prepare couples & children for the changes involved in the process to minimize negative impact on all parties

Commissioned Study by Family Council

- 2011 Family Survey
- Focus Group meetings organized by CPU to generate action plans
- Reduce the negative long term effects of divorce on child development as one of the areas worthy of priority of policy makers
- A Study of the Phenomenon of Divorce in HK- HKU commissioned to conduct the study as a follow up of the project initiated by HKUFI.
- Methodology—
 - ✦ Data compilation of 300 cases in 2011 & data set from C&SD
 - ✦ Case studies—purposive sampling of 30 to 40 individuals with matched married couples as controls
 - ✦ Focus Groups of 10 to 12 stakeholders from related professionals

Thank You!