

# TWOHOMES

L'HÉBERGEMENT ALTERNÉ ÉGALITAIRE  
HET GELIJKMATIG GEDEELD VERBLIJF - SHARED PARENTING



## JEUDI 18 MAI 2017

DONDERDAG 18 MEI 2017 - THURSDAY MAY 18<sup>TH</sup>, 2017

Maison des Associations  
Internationales,  
Bruxelles (Ixelles), Belgique

Langues de travail:  
Français,  
Nederlands, English

Journée d'étude organisée par



Ligue Bruxelloise Francophone  
pour la Santé Mentale

Filiatio



## TO UNDERSTAND WHAT IS ROCKING FAMILIES

People meet, they form couples, children are born. Couples become parents and an increasing number of them fall out of love, come apart, split up, and may form a new family. Ideally, the transition from being a conjugal couple to being a parental couple should occur in the best interests of the child, who has "the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests" (Charter of Fundamental Rights of the European Union, Art. 24 – 8 December 2000)

Since the end of the 19th century, the stance of judicial public authorities on children rights has become increasingly protective. At first, to control and to punish the excesses of paternal power (child exploitation), and now to protect the interests of the child as a subject of rights, namely when the parents cannot come to an amicable separation.

This interference of the public sphere in the couples' private life had to go hand in hand with a rigorous, objective and structured regulation – the 18 July 2006 Belgian reform law on equal shared parenting – lest the legal system lose its attributes and its function by diving deeply into the individual passions.

With this reform, the legislators stated that it should be in the best interests of the child to live with both his or her parents, and entrusted the fulfilment of this right to the Family Court, which has given judges a lifeline when dealing with family disputes. Nowadays, the shared physical custody affects, through different districts, 35-60% of children from broken homes where at least one of the parents has asked for this arrangement. Time allocations vary from 50/50 to a 5 to 9 days ratio.

After several years of observing and studying equal shared parenting to understand the extent of its influence, the Ligue Bruxelloise Francophone pour la Santé Mentale (Brussels French-speaking League for Mental Health) and the magazine Filiatio have organised this symposium as a place to meet up, share information, be trained, study and practice. All this, for an audience of scientists, child psychiatrists and psychologists, judges and lawyers who are called into the intimacy and the solitude of their consciences where the idea of Justice comes into force for the best interests of all the beaming emerging types of parenting.

# LECTURE PROGRAMME



**08:30 RECEPTION OF PARTICIPANTS**

**09:00**

**OPENING SESSION**

**Mr. Charles Burquel**, President and  
**Mr. Eric Messens**, Director of the Ligue Bruxelloise  
Francophone pour la Santé Mentale (Brussels  
French-speaking League for Mental Health), BELGIUM  
**Ms. Cécile Jodogne**, Minister in charge  
of Health in the French-Community  
Commission (COCOF), BELGIUM

09:30

## EQUAL SHARED PHYSICAL CUSTODY AND SCIENTIFIC RESEARCH

For several decades, a number of researchers in various domains have been looking into the different protagonists, realities, hypotheses, results and possible negative consequences of shared parenting, far from disputes and unconcerned by the need to make a statement.

This previously unexplored scientific field stands out for the diversity of its investigation techniques, objectives, tools and samples, ... In order to make full use of all of these sources and draw pertinent and valid conclusions, these scientists have been conducting meta-analyses on existing papers, looking to make relevant comparisons between different research works, thus drawing a solid and reliable basis for academic consensus. Works by Dr. Edward Kruk and Jani Turunen are an authority in the field of parenting plans, especially concerning shared physical custody. In Belgium, too, teams of researchers are working towards a better understanding of family policies. Some of these teams have been involved in longitudinal studies since 2008, others are to lead research programs for the next five years.

**Mr. Edward Kruk**, MSW, Ph.D, Associate professor, School of Social Work, The University of British Columbia, CANADA  
**Mr. Jani Turunen**, Researcher, Department of Sociology, Stockholm University Demography Unit (SUDA) and Karlstad University, Centre for research on child and youth mental health, SWEDEN

## BREAK

**Ms. Laura Merla**, Professor of Sociology, Director of the Centre Interdisciplinaire de Recherche sur les Familles et les Sexualités (CIRFASE/IACCHOS) (Interdisciplinary Research Centre on Families and Sexualities), Université Catholique de Louvain (UCL), BELGIUM

**Ms. Kim Bastaijs**, Ph.D.Sociology, Lector & Senior Researcher PXL Social Work Research, PXL University College Hasselt, BELGIUM

**Ms. Sophie Vanassche**, Ph.D. Sociology, Researcher, Professor of Educational Sciences for young children, Artevelde Hogeschool, , Ghent, BELGIUM

## DISCUSSION

13:30

## EXPERT PSYCHOLOGICAL ASSESSMENT AND PSYCHOLOGICAL SUPPORT: WHAT TO EXPECT?

The rulings which the Ligue Bruxelloise Francophone pour la Santé Mentale has accessed so far show a legal system which, not having a large clinical and academic debate to refer to, often looks for answers into unreliable documentation and clinical trials which are, indeed, authentic, but not thorough enough. And yet, certainties of yesterday on childhood, on stress factors such as the parenting conflict, and on the child's "free" speech, are evolving with the realities of "new" families and scientific research. It is important that these changes and the debate they are liable to promote are tackled and taken into account in order to provide magistrates with more topical points of reference.

**Mr. Blaise Pierrehumbert**, Ph.D. Psychology,  
former head of the research unit and Privat-docent at  
the University of Lausanne, SWITZERLAND

**Dr. Jean-Pierre Lebrun**, psychiatrist,  
psychoanalyst, BELGIUM

**Dr. Carine De Buck**, child psychiatrist, medical director of  
the Centre medical pédiatrique "Clairs Vallons" (Children's  
medical center), BELGIUM

DISCUSSION

15:00 BREAK

## A LEGAL PERSPECTIVE ON THE IMPLEMENTATION OF CO-PARENTING

Forged in the fire of the États généraux des Familles (national conference on family policies), the 18 July 2006 law in favour of equal shared physical custody is profoundly democratic. It is also deliberately educational, as it states which aim to pursue foremost, posing as the sole condition for the judge who decides differently to justify his/her decision. Ten years later, the ambition for legal predictability is still unfulfilled. According to some, the ground truth tells a different story, and this law seems to poorly reflect the real experiences of the families. Moreover, some authors call to mind the need to provide a justification in case of a decision in favour of shared physical custody. As for the justifications given for decisions against this arrangement, they are mostly testament to the judges' (and the lawyers') difficulties in considering separately the conflictual situation linked to the dissolution of the conjugal couple and the need for the parental couple to survive in order to protect the interests of the child. Are the ongoing evolution towards a Justice of mediation and conciliation, and the propositions to adopt into the Belgian law the Dutch parenting plan the answer to the judge's solitude, to the hardship of too many parents and to the child's interest?

**Ms. Cécile Hayez**, Judge, Tribunal de la Famille auprès du Tribunal de Première Instance francophone de Bruxelles (Family Court, French-speaking District Court of Brussels), BELGIUM;

**Ms. Solange Brat**, Judge, Tribunal de la Famille auprès du Tribunal de Première Instance francophone de Bruxelles (Family Court, French-speaking District Court of Brussels), Lecturer at University of Mons, Scientific Collaborator at Free University of Brussel (ULB), BELGIUM

**Mr. Didier Pire**, lawyer, Lecturer at University of Liège, BELGIUM (ULg), BELGIUM

**Mr. Christian Denoyelle**, President of the Conseil Supérieur de la Justice (High Council of Justice), BELGIUM

17:00

## CONTEMPORARY EVOLUTION OF FAMILIES AND PARENTING, AND THE BEST INTERESTS OF THE CHILD

"During the second half of the 20th century, family has taken different forms, progressively creating a "mosaic" of different situations: children who are separated from their parents, children from broken homes, adopted children, children living in differently structured families (single parent families, same-sex parent families, blended families, etc.), children conceived through assisted reproductive technologies and children in search of their own origins," write Professors Jacques Marquet and Laura Merla in the introduction to their report "L'intérêt supérieur de l'enfant dans la mosaïque familiale [...]" ("The best interests of the child in diverse, new families [...] - Marquet & Merla, 2016). The aim is to ponder the conditions that would assure the best interests of the child in these "new" families, while trying to answer a question which is, after all, as simple as it is pertinent: the best interests of the child on behalf of which the State is entitled to intervene in the privacy of the families – does it still match the children's own idea of their interests?

**Mr. Jacques Marquet**, Professor at Catholic University of Louvain (UCL), Member of the Centre Interdisciplinaire de Recherche sur les Familles et les Sexualités (CIRFASE/IACCHOS) (Interdisciplinary Research Centre on Families and Sexualities), BELGIUM

17:30 CONCLUSION

**Mr. Luc Hennart**, President of the Tribunal de Première Instance francophone de Bruxelles (French-speaking District Court of Brussels), BELGIUM



# CONTACT

«TWOHOMES: l'hébergement alterné égalitaire»  
est une journée d'étude organisée par la Ligue Bruxelloise  
Francophone pour la Santé Mentale et le newsmagazine Filiatio,  
avec le soutien de la Commission Communautaire Française  
et de l'International Council on Shared Parenting (ICSP)

## PERSONNES DE CONTACT

**Natacha Rome**

+32 (0)2 501 01 21

[rome.lbfsm@gmail.com](mailto:rome.lbfsm@gmail.com)

**Secrétariat de la LBFSM**

Rue du Président, 53 – 1050 Bruxelles, BELGIUM

Tel.: +32 (0)2 511 55 43

Fax: +32 (0)2 511 52 76

Courriel: [lbfsm@skynet.be](mailto:lbfsm@skynet.be)

Web: [www.lbfsm.be/](http://www.lbfsm.be/)

**Filiatio**

web: [www.filiatio.be/](http://www.filiatio.be/)



# FORMULAIRE D'INSCRIPTION

Nom: .....

Prénom:.....

Institution:.....

Titre et Qualité : .....

Adresse complète:.....

.....

Tél: .....

@: .....

## FRAIS D'INSCRIPTION

Tarif plein, 80,00€

Membre de la LBFSM, 65,00€

Etudiant(e), 50,00€

Je verse le montant de EUR ,00 sur le compte  
IBAN: BE94 0682 4073 3314 de la Belfius Banque (BIC GKCCBEBB)  
au bénéfice de la Ligue Bruxelloise Francophone  
pour la Santé Mentale avec la mention «twohomes» suivie des  
nom et prénom de la personne inscrite.

Le paiement valide l'inscription à la journée d'étude, dossier de  
conférence, boissons en continu et lunch compris. Les chèques  
ne sont pas acceptés. Les désistements seront remboursés à  
concurrence de 50% jusqu'au 30 avril 2017. Au-delà de cette date,  
l'intégralité des frais de participation restent dus.



avec le soutien de  
la Commission Communautaire Française  
et de l'International Council on Shared Parenting (ICSP)

