

Press Information

Best Practices for Legislative and Psycho-Social Implementation of Shared Parenting

The International Council on Shared Parenting (ICSP) endorses the Council of Europe Resolution 2079 on equality and shared parental responsibility

Bonn, Germany, 23 December 2015. The International Conference on Shared Parenting on 9-11 December 2015 in Bonn, Germany, with about 120 participants from 20 countries and 3 continents gathered scholars, practitioners and representatives of civil society interested in the emerging paradigm of shared parenting in families in which parents are living apart. The conference was jointly chaired by the President of the International Council on Shared Parenting (ICSP), Prof. Edward Kruk, Canada, and Prof. Dr. jur. Hildegund Sünderhauf, Lutheran University Nuremberg, Germany.

According to Prof. Edward Kruk, this second International Conference on Shared Parenting constituted a significant advance from the first ICSP conference a year ago. "Whereas the first conference focused on bridging the gap between empirical evidence and socio-legal practice, the second conference moved toward the implementation of shared parenting in both law and mental health practice. We are witnessing a major paradigm shift globally in the acceptance of shared parenting as necessary to ensuring that the best interests of children are addressed, and the time has come for us to take responsibility to act and implement shared parenting on a broader global scale."

Prof. Hildegund Sünderhauf, Chair of the Scientific Committee of ICSP underlined that "the conference has clearly shown the tremendous amount of positive scientific results towards shared parenting. There is clear evidence that this family form can help children after separation and divorce of their parents in many cases."

Dr. Chantal Clot-Grangeat, Clinical Psychologist and Vice-President of ICSP confirmed: "Family professionals should adapt the evidence of scientific research into their daily work with families in the context of separation, providing the chance of deescalating family disputes at an early stage."

Oliver Hunziker, Vice-President of ICSP and representative of civil society, stated that "based on this evidence and the recent [Resolution 2079 of the Council of Europe](#) on equality and shared parental responsibility, presented at the conference by the initiator of the resolution, Françoise Hetto-Gaasch, politicians from all countries should now take action and change their laws accordingly."

The follow-up International Conference on Shared Parenting is tentatively scheduled for 2017 in Boston, USA.

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Annex

Conference Conclusions

1. As shared parenting has been recognized by the research community, as well as by legal and mental health practitioners, as a viable post-separation parenting arrangement that is optimal to child development and well-being, there is **consensus** that both the legal and psycho-social implementation of shared parenting as a presumption should proceed without delay, with the full sanction and support of professional bodies and associations.
2. As shared parenting encompasses both shared parental authority (decision-making) and shared parental responsibility for the day-to-day upbringing and welfare of children, between fathers and mothers, in keeping with children's age and stage of development, there is **consensus** that legal implementation of shared parenting, including both the assumption of shared responsibilities and presumption of shared rights in regard to the parenting of children by fathers and mothers who are living together or apart, be enshrined in law.
3. As shared parenting is recognized as the most effective means for both reducing high parental conflict and preventing first-time family violence, there is **consensus** that legal and psycho-social implementation of shared parenting as a presumption should proceed with the goal of reducing parental conflict after separation. There is further **consensus** that legal and psycho-social implementation of shared parenting as a presumption be encouraged for high conflict families in particular, with the full sanction and support of professional bodies and associations.
4. There is a **consensus** that the above apply to the majority of children and families, but not to situations of substantiated family violence and child abuse. In such cases, a rebuttable presumption against shared parenting should apply. There is a **consensus** that the priority for further research on shared parenting should focus on the intersection of child custody and family violence, including child maltreatment in all its forms. There is further **consensus** that a priority for both the scientific and the legal and mental health practice communities should be the development of legal statutes and practice guidelines with respect to safety measures in cases of established family violence.
5. As there is mounting evidence that shared parenting can both prevent parental alienation, and is a potential remedy for existing situations of parental alienation in separated families, there is **consensus** that further exploration of the viability of a legal presumption of shared parenting in situations of parental alienation be undertaken.
6. As therapeutic and mediation services are vital to the success of shared parenting arrangements, there is a **consensus** that an accessible network of family relationship centres that offer family mediation and other relevant support services are critical components of any effort toward legislative and psychosocial implementation of shared parenting. We call on governments to establish such networks as a necessary adjunct to the establishment of a legal presumption of shared parenting.
7. We call on member states to fully adopt the [Council of Europe Resolution of 2 October 2015](#). In particular, we call on member states to adopt the following provisions:
 - 5.5. Introduce into their laws the principle of shared residence following a separation.
 - 5.9. Encourage and develop mediation within the framework of judicial proceedings in family cases involving children.