FACTORS INFLUENCING THE IMPLEMENTATION OF PARENTING PLANS IN SOUTH AFRICA

by

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A thesis submitted in partial fulfilment of the requirements for the degree

DOCTOR OF PHILOSOPHY
IN SOCIAL WORK

Department of Social Work and Criminology

FACULTY OF HUMANITIES

UNIVERSITY OF PRETORIA

SUPERVISOR: PROF. CE PRINSLOO

JULY 2018

DEDICATION

"Because someone we love is in Heaven, there is a little of Heaven in our home."

I dedicate this work to:

My parents, Piet and Maureen van Jaarsveld, who always loved, educated, protected and believed in us.

To three brothers who departed to heaven during my journey, Pierrè Botha, Andrè van Jaarsveld and Gert van Jaarsveld. All three of you played an enormous role in my development and personal being; thank you for your love.

***

ACKNOWLEDGEMENTS

I wish to express my sincere gratitude to the following people who made this research and the end product a reality:

Prof R Prinsloo, my promotor, for her guidance, dedicated support and encouragement throughout this journey. Thank you, Prof, you are the best.

Mr. Shaw Liebenberg for the statistical analysis and the support with the quantitative data.

Mrs. Paulette Henry for the language editing this thesis.

Ms. Marili Rossouw for the language and editing of this thesis, but also your prompt response and technical support.

Mrs. Susan Botha, my sister, thank you for your continuous support and assistance. You were there to motivate and support me in times of feeling overwhelmed.

Duncan Botha for your assistance with my reference checking.

Anita van Jaarsveld, for your motivation and support.

All participants and respondents of this study, thank you for your participation.

All my family and friends for their encouragement and understanding in absent times.

Last, but not the least, my Heavenly Father – for giving me the wisdom and strength to complete this dream. The journey was long, difficult and often seemed to be impossible.

> *"Let's raise children who won't have to recover from their childhoods."*
>
> *Pam Leo*

DECLARATION

Full names of student: Anna Wilhelmina van Jaarsveld

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Title of Thesis: Factors influencing the implementation of parenting plans in South Africa

Declaration

1.   I understand what plagiarism is and am aware of the University's policy in this regard.

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3.   I have not used work previously produced by another student or any other person to hand in as my own.

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ABSTRACT

FACTORS INFLUENCING THE IMPLEMENTATION OF PARENTING PLANS IN SOUTH AFRICA

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Divorce is one of the most traumatic experiences that families and children can encounter. Many children are exposed to the distress related to it. In South Africa, the Children's Act 38 of 2005 section 33(1) attempts to implement a model for co-parenting with parenting plans that describe how the parents will contribute to the care and well-being of their child or children. Although parenting plans are included in mediation processes, the implementation thereof is not always successful and in the best interests of the children involved. In this research study, the researcher aimed to explore divorced parents' experiences of factors that influence the implementation of the parenting plans. The views of professionals involved in intervention with divorce regarding the factors that influence the implementation of parenting plans, were also explored.

The theoretical framework for this study was the Ecological Systems Theory and the Family Systems Theory. This study mixed different research methods to analyse and interpret research results obtained from a representative sample. This was achieved through the use and integration of data in the various research stages namely data collection, data analysis and discussion and reporting of findings. The qualitative data was collected and analysed to determine factors influencing the use of parenting plans during and after divorce. Qualitative data was gathered through interviews with parents who made use of a parenting plan to assist them with the transition of being an intact family to a divorced family. Interviews were conducted with 40 parents. The quantitative phase

consisted of a questionnaire for a sample of 100 professionals who met the sample criteria. The questionnaire was hand delivered to the nearby respondents and emailed to the others. After the researcher explored the participants' personal experiences, the professionals' opinion and the literature review were completed, conclusions were drawn, and recommendations were made. The researcher concluded that all family members should be involved in drafting a parenting plan. A parenting plan assists parents in making correct choices for their children and fosters relationships between parents and children. It provides structure, eliminates conflict and protects all members included. Not all professionals who draft parenting plans have adequate training and experience. Most professionals deem that the writing of parenting plans should be a specialised field in practice. In comparing this statement with feedback from the parents who were interviewed, specialised intervention and assistance regarding parenting plans are prioritised. Guidelines for the implementation of parenting plans for parents and professionals were developed.

KEY WORDS

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CHAPTER 1

INTRODUCTION AND BACKGROUND OF THE STUDY

"To be in your children's memories tomorrow, you have to be in their lives today"
Anonymous

1.1   INTRODUCTION

Although scholars debate that divorce may also have positive effects on children, the negative consequences for economic and social resources and for their children's general development are clearly documented (Eshleman, 2011:543; Pedro-Carroll, 2011:1; Robinson, 2010:133; Schwartz & Scott, 2010:369). Research studies (Amato, 2001; Bienenfield, 1999; Bonkowski, 1998; Hoff Oberlin, 2005; Hooper, 2005; Kelly & Emery, 2003; Marquardt, 2005; Neuman, 1998; Robinson, 2009; Weintraub & Hillman, 2005; Whiteman, 2001) indicate that parental conflict, both prior to and after divorce, has detrimental effects on children. The information introduced above sets the scene for the necessity for parents to be aware of the influence of a divorce on children.

In South Africa, the Children's Act 38 of 2005 section 33(1) attempts to implement a concrete model for co-parenting with parenting plans that describe how the parents will contribute to the care and well-being of their child or children. Although parenting plans are included in the mediation processes, the implementation thereof is not always successful and in the best interests of the children involved (Preller, 2013:41).

In this research study, the aim was to explore divorced parents' experiences of factors that influenced the implementation of the parenting plans. The views of professionals involved in intervention with divorce regarding the factors that influence the implementation of parenting plans in the family, were explored to contribute to an in-depth understanding of the implementation of parenting plans in practice.

1.2   BACKGROUND

For many years, divorce involving minor children was considered harmful and the effects thought to last forever. Research studies investigating divorce and the effect thereof (Amato, 2001; Bienenfield, 1999; Hoff Oberlin, 2005; Hooper, 2005; Kelly & Emery, 2003; Marquardt, 2005; Neuman, 1998; Robinson, 2009; Weintraub & Hillman, 2005; Whiteman, 2001), suggest that it is not the divorce per se that determines the subsequent adjustment of children, but the trauma they are exposed to before, during and after divorce. Divorce of parents affects children in numerous ways. Children involved in parental divorce may experience significant problems to adjust (Laumann-Billings & Emery, 2000:3), however, children may adjust better when parents have less conflict (Kramer & Wasbo, 1998:45). Bacon (2004:189) postulates that conflict between parents has a major influence on how children adjust to parental divorce and suggests that continued conflict might be more powerful than the event itself.

The effects of divorce on children, whether short-term or long-term, are divided into two conflicting research schools. In the first, Wallerstein and Blakeslee (2001:58) claim that children of divorce are doomed to have serious problems that persist, worsening over the years and influencing their adult lives. On the other hand, researchers headed by Amato (2001:355), argued the effects of divorce are only short-term, and several factors can assist in handling this trauma. The end of a marriage is usually brutally painful to all involved (Hetherington & Kelly, 2002:3). The first two years is regarded as a period of adjustment for the whole family, with marked mood swings, abnormal behavioural patterns and poorer mental and physical health.

On the positive side, if parents can communicate effectively with each other and with their children, it will be beneficial to the children. Research is clear that low parental conflict is critical to children's well-being and adjustment after divorce. Children are more likely to do well during the divorce and are more likely to not exhibit many negative effects if parents protect them and make them feel safe, wanted and excluded from adult issues (Amato, 2001:335). Conflict between parents causes stress, fear and emotional problems

in children (Aaron & Dallaire, 2010:1479). Parents should treat each other with respect and should not place children in the middle of parental conflict or make them choose sides.

Although many children grow up leading healthy and productive lives after their parents' divorce, they are at significant risk for emotional and physical problems (Amato, 2001:345). Children's adjustment, whether positive or negative, may be ascribed to the way in which the parents handled the divorce (Sedacca, 2011:1). Children tend to adjust with greater ease if their parents enter the agreement to divorce with less conflict; children may then experience less emotional suffering than during the instability of their intact family.

Robinson (2009:48) and Peters (2012:43) divide the impact of divorce on children according to their developmental phases, gender, age and their relationship with their parents. Children of divorcing parents experience their own patterns of anger, sadness, relief, rejection, confusion and loss. Some children are more vulnerable due to special needs they may have, the child's relationship with each parent, relationships with siblings/grandparents and other family members, type of care before the divorce, parenting abilities, parental communication and the child's unique personality. Amato and Keith (1991:6), Bojuwoye and Arkpan (2009:75-81), Hetherington and Kelly (2002:1-4), Kelly and Emery (2003:8) and Robinson (2009:48-66) all associate age, gender, socio-economic status, relationship with parents before or after divorce, the degree to which the child was drawn into marital conflict, parents' inability to separate their roles as parent and spouse, continual open conflict between spouses and the perceived loss of the alternate parent with children's reactions to parental divorce.

As example, children in the adolescent phase (13 to 18 years) may be moody, or cope by taking special responsibility for the family. Furthermore, adolescents may favour one parent, blaming the other for the divorce (Temke, 2006:35). Another factor to consider is that the gender of the child plays a role as boys' and girls' responses to the situation can vary. Kunz (2011:246) purports that the effects of divorce are greater on boys than on girls. Temke (2006:32) and Fagan and Churchill (2012:47-48) mention that children raised

by parents of the same sex as the child, tend to have greater success adjusting to the divorce than those who are raised by a parent of the opposite sex than the child. Temke (2006:35), Bojuwaye and Arkpan (2009:266) and Hartson (2006:8) concede, however, that the child's relationship with the primary parent (refers to the parent the child spends most time with and is often the parent the child resides with) is of more importance than the possibility of being raised by a parent of the opposite sex.

According to Temke (2006), children aged three through five will often blame themselves for the break-up; children six through twelve are likely to fall into a state of depression and/or act out repeatedly, as well as randomly. Children aged thirteen through eighteen commonly are rushed into adulthood and have life-long emotional issues. Girls usually find sexual relationships easier than boys but will have emotional difficulty later in life (Oppawsky, 2000:17). Boys, on the other hand, are likely to become aggressive and violent towards others, physically and emotionally.

Researchers have consistently found that elevated levels of parental conflict during and after a divorce are associated with poorer adjustment in children (Kunz, 2011:246). In a 1985 study, Hetherington (2001:139) reported that some children exposed to elevated levels of marital discord prior to divorce adjust with more ease than children who experience low levels of marital discord. When marital conflict is muted, children are often unprepared when told about the upcoming divorce. On the other hand, children from high-discord families may experience the divorce as welcome relief from their parents' fighting.

The researcher strongly agrees that children often think they caused the divorce or they did something wrong that made one or both parents not want to be with them. These feelings are normal especially in middle childhood where children tend to be more egocentric in their feelings and can cause a child to feel sad, depressed and angry, contributing to other problems such as poor health, difficulty in school and problems with friends. Children from non-divorce, high-conflict homes turn out to have similar outcomes to children from divorced homes (Hetherington & Kelly, 2002).

Divorcing parents should receive advice on how to help their children adapt to the sudden change in circumstances and parents should realise not all children with divorced parents experience long-term problems (Amato, 2001:361). During the researcher's MSW study on "good divorce", it was clear that parents could assist with the transition from intact families to divorced families (Van Jaarsveld, 2007:66). A factor that the researcher found important is the relationship between spouses. In a "responsible divorce", parents focus on their children with their children's feelings first, regardless of their feelings for one another.

The common denominator in well-adjusted families post-divorce is the absence of malice and a mutual concern for the well-being of children (Ahrons, 2013:3). The relationship between ex-spouses is important and the relationship determines the emotional climate of the family. In this regard, the introduction of parenting plans to assist in children's adjustment, aims to have long-term value for children's well-being.

The need for this research was conceived after the researcher realised in her practice and daily work experience that parental conflict after divorce and the primary emotional distress of parents are jointly predictive of more problematic parent-child relationships, and greater child emotional and behaviour maladjustment. Although some of the references are dated, invaluable research was done on protective factors that facilitate children's adjustment to divorce:

- the experience of low inter-parental conflict (Kelly & Emery, 2003:354);
- effective and constructive resolution of conflict between parents (Shifflett-Simpson & Cummings, 1996:439);
- the quality of on-going family relationships and the parent-child relationship (Robinson, 2009:9);
- authoritative parenting from at least one parent (Hetherington, Stanley-Hagan & Anderson, 1999:309; Robinson, 2009:36); and
- effective co-parenting, with effective communication and cooperation and little active undermining of the other parent (Hetherington & Stanley-Hagan, 1999:132; Robinson, 2009:113).

Through this study, the researcher intended to develop guidelines and checklists for parents and for professionals working with divorcing families. The guidelines and checklists were concluded after the qualitative and quantitative research as described in chapter 6. A thorough literature study was conducted in chapters 2, 4 and 5. The researcher has concluded that both professionals and parents have a significant role in the children's well-being after parental divorce. An Exploratory Sequential Mixed Methods study was undertaken in this study. The Family Systems Theory and the Ecological Systems Theory guided the present study – as discussed in chapter 3. The study was conducted in South Africa from October 2016 to December 2017. The research sample was taken from two groups, the first being parents and the second professionals working with divorced families. The pilot studies were done with two families and two professionals like the target population. The researcher discusses the key concepts of the present study as follows:

1.3   DEFINITION OF KEY CONCEPTS

For this study, the following key terms are defined:

● **Divorce:** Divorce is the conclusive act of dissolution of marriage (Weintraub & Hillman, 2005:18). Robinson (2009:9) states, "Divorce is to dissolve the marriage by judgement or decree of divorce". Divorce is a failure of a couple's commitment to their marital and family roles. In the context of this study, divorce is seen as the legal ending of marriage. Divorce is not a single event but a complex process that unfolds over time and requires extensive reorganisation and a series of adjustments for all involved.

● **Parenting plans:** A parenting plan describes how parents will contribute to the care and well-being of the children after divorce by providing detailed information in five areas: custody and visitation, decision-making rights, responsibilities, dispute resolution, and expenses for the child (Spengler, 2006:1). Robinson (2009:80) defines a parenting plan as a "structured plan to specify to both the biological parents of minor children their rights and responsibilities as in the best interests of the children". In the context of this study, a parenting plan is seen as a document including all matters that

involve the children during parental divorce, such as care of the child, residence, contact between the child and parents/significant others, maintenance and other parental responsibilities towards raising a well-adjusted child after divorce.

- **Middle childhood:** The age range of middle childhood starts at approximately age six (6) and ends at age twelve (12) years and starts at school-going age and ends at the start of puberty (Berk, 2007; Broderick & Blewitt, 2010; Bronfenbrenner, 2005:213; Scourfield, Dicks, Drakeford & Davies, 2006). Children in middle childhood learn to confidently connect to the larger world. During this phase, children are more sensitive of and become aware of the differences between homes (Sanders, 2007:71). During middle childhood, children learn to socialise in a dramatically new world, where family no longer is the only force in their life. Children in this phase acquire a more defined sense of self and they often sense that they have a greater ability to care for their own health and well-being (Berk, 2011:189). This period includes a vast amount of new developmental tasks and changes within the physical, cognitive, cultural identity, emotional and social spheres.

- **Mediation:** Duchen and Schutte (2008:93) define mediation as an alternate dispute resolution process, where parties meet with a neutral third party, to reach an agreement with regards to dispute resolution. Mediation is a co-operative negotiation process where a third party (mediator) assists parties to negotiate over issues in dispute, in order to reach an agreement or settlement (Boniface, 2012:102). The main objective of the mediation process is to facilitate and expedite the effective resolution of disputes between spouses and parents of children in a cost-effective manner, as well as assist litigants to determine, at an early stage of the litigation procedure, whether it is in their best interests to proceed with a trial.

1.4   RATIONALE AND PROBLEM STATEMENT

Divorce rates nationally and internationally are increasing. In the most recent South African statistics on marriages and divorces (Statistics South Africa, 2018:6), 25 326 divorces were filed and completed in 2016. In 2016, 55% of the divorces involved children under the age of 18 years. Divorce inevitably has an influence on all parties involved

(Kunz, 2013:238) and children are affected in diverse ways. Parenting plans for divorcing parents are regarded as a way to ensure stability for children after their parents' divorce and to be in the best interests of the child. However, only 25% to 30% of parents make use of a co-parenting system, characterised by joint decision making, flexibility, good communication and regular visits (McIntosh, Burke, Dour & Gridley, 2009:11). From the researcher's experience in practice, it became clear that there are factors, both positive and negative, that influence the implementation of parenting plans. In the end, these factors influence the children involved.

The reality of parental divorce has become increasingly widespread worldwide and is becoming a remarkable social problem in our societies. Haimi and Lerner (2016:1) express their concern that not only are children highly affected by the huge changes in their family environment, but also by the additional influences of the divorce process itself. These researchers are of the opinion children are affected mentally and socially. Their developmental phases are affected, behavioural problems emerge and socially they battle with adapting.

Research in recent years (Ebersohn & Bouwer, 2013:2; Haimi & Lerner, 2016:1; Landucci, 2008:2; Makofane & Mogoane, 2012:308; Ottaway, 2010:37; Sara, 2011:304) has shown that children are not merely negatively affected by parental divorce when they become depressed, violent, angry and physically ill. For some children parental divorce is an advantage as they are no longer involved in parental conflict.

Observations from practice and reflecting on the literature indicate parental conflict, conflict resolution, post-divorce relationships, overall parenting and parents' relationships as factors resulting in parents not being able to follow parenting plans. Parental conflict, insufficient communication, non-flexibility and non-co-operative parents in practice are the factors that cause resentment. Robinson (2009:17) states the following in this regard:

> Parenthood does not end with separation and divorce. You are divorcing your spouse, not your children, and you will more than likely have to talk to your ex about the needs of the children. The involvement of both parents is desirable, the importance of both parents should be prioritised in structured residential, and visitation plans. It is of great importance to realise that

children need to be raised in a stable, settled household and to see the alternate parent as often as possible, but with routine and structure.

Research has shown that children tend to adjust to divorce with less difficulty when they are able to maintain the family relationships that were important to them prior to the divorce and their parents are able to co-operate and be generally supportive of one another (Robinson, 2009:79; Preller, 2013:39). The researcher aims to explore the use of parenting plans in practice as some families use it effectively and for some families it is just another document. The view of professionals in implementing parenting plans in practice will also be explored as they are aware of the factors that may have an influence on the implementation of parenting plans.

Thus, this study aims to answer the following research question: **What factors influence the implementation of parenting plans in South Africa?**

1.5   GOAL AND OBJECTIVES OF THE STUDY

The goal of this study is to explore and describe factors influencing the implementation of parenting plans in South Africa.

To be able to position a sustainable parenting plan, the following research objectives must be achieved:
- to contextualise principles, rights and responsibilities of the parents as pertaining to parenting plans;
- to contextualise parenting plans within the divorce process with reference to the impact of divorce on children in middle childhood;
- to explore and discuss divorced parents' experience of parental responsibilities towards their children during divorce;
- to describe the views of professionals in practice on the implementation of parenting plans and explore their recommendations for effective parenting plans;

- to draw conclusions and develop guidelines, with user-friendly checklists for implementing parenting plans in South Africa for parents with children in middle childhood going through divorce, and for professionals working with these families.

1.6   RESEARCH METHODOLOGY

The researcher used the Exploratory Sequential Mixed Methods Design for this study. Creswell (2011:225) explains that the Exploratory Sequential designs do not use an explicit advocacy lens. In these designs, qualitative data are collected and analysed first, followed by quantitative data. Quantitative data is used primarily to augment qualitative data. Data analysis is usually connected, and integration usually occurs at the data interpretation stage and the discussion. Creswell (2009:211-212) also mentions that these designs are useful for exploring relationships when study variables are not known, refining and testing an emerging theory, developing new psychological test/assessment instruments based on an initial qualitative analysis, and generalising quantitative findings to a specific population.

As the researcher wanted to explore the implementation of parenting plans in South Africa, a relatively new concept with limited research, using both approaches valuable insight was gathered and can then further be expanded by the professionals' views. The views of the parents on parenting plans could assist to develop an instrument for professionals, and this would strengthen the findings. Although the design places emphasis on the qualitative aspect, the inclusion of the quantitative component contributes to the validity and reliability of the data. Using the mixed-method, more insight and understanding was gained about parenting plans in South Africa, in comparison to when only a single approach would have been used.

The present study falls within the description of applied research, which refers to the systematic search for solutions to practical problems of the modern world. This study was applied research since the researcher explored the factors that influence the use of parenting plans during parental divorce, where the knowledge obtained will be used to

formulate guidelines to address the practical problems of families who struggle with the implementation of parenting plans (Babbie, 2015:27; Maree, 2016:9). Based on the outcomes of the study, the researcher drafted guidelines for practice when compiling parenting plans during divorce for parents with children in middle childhood. Forty parents were interviewed, and eighty-one professionals completed the questionnaire. The letters of informed consent were explained and signed. The trustworthiness of the qualitative research was ensured, as were the validity and reliability of the qualitative research. The research methodology is covered in chapter 6.

Table 1.1 gives a summary of the research methodology of this study.

Table 1.1: Research methodology – mixed-methods

	Qualitative	**Quantitative**
Approach and purpose	● Problem analysis ● Explorative ● Need analysis ● 1st component	● Analytical ● Descriptive ● 2nd component
Design	● Collective case study (parents)	● Non-experimental design (survey amongst professionals)
Type of research	● Applied	● Applied
Sampling approach	● Non-probability	● Non-probability
Sampling method	● Purposive	● Purposive
Data-gathering method	● Semi-structured interviews	● Questionnaire
Data-gathering instrument	● Interview schedule	● Questionnaire
Data analysis	● Exploratory thematic analysis and narratives from the interviews	● Descriptive statistical analysis and inferential statistics
Data presentation	● Tables ● Graphs	● Tables ● Graphs

	● Figures	● Figures
	● Narratives	● Narratives

1.8   CONTENTS OF THE REPORT

The thesis consists of the following chapters:

Chapter 1: Introduction, rationale, goal, objectives and research methodology

The first chapter is a general introduction and background to the thesis. It includes the rationale for the study, gives the objectives and a brief description of the research methodology.

Chapter 2: Divorce and children

This chapter is the first of the literature study and introduces the phases of divorce. The effects divorce has on children and their developmental phases are discussed.

Chapter 3: Theoretical framework for the study

Divorce and its influence from a Family Systems Theory and the Ecological Systems Theory is receiving attention.

Chapter 4: Parenting plans and co-parenting

Based on a thorough literature study, parenting plans and the legislative aspects thereof are conceptualised and introduced. All policies and acts and the implementations of parenting plans are discussed and concluded.

Chapter 5: Mediation model and parenting plans in South Africa

This chapter focusses on parenting plans in South Africa and include the characteristics, principles and implementation of parenting plans.

Chapter 6: Research methodology

This chapter concludes the research methods that was used in this study.

Chapter 7: Qualitative research findings and interpretation

In this chapter the findings of the qualitative part of the research are discussed and interpreted.

Chapter 8: Quantitative research findings and interpretation

In this chapter the findings of the quantitative part of the research are discussed and interpreted.

Chapter 9: Guidelines for parenting plans in South Africa

Based on the research findings guidelines for parents and professionals are provided for the implementation of parenting plans in South Africa.

Chapter 10: Conclusion and recommendations

This chapter gives a description of the goal and objectives of the study and how these were met. Key findings and conclusions of the study are discussed. Finally, recommendations are made based on the research findings.

The next chapter focuses on the literature study for this research.

CHAPTER 2
DIVORCE AND CHILDREN

*We need to move from seeing children of divorce and separated
parents as having an experience which is essentially different
from that of other children. All children experience a number of
transitions that can be difficult for them and for which they may
require additional support
(The Joseph Rowntree Foundation 2004).*

2.1   INTRODUCTION

Personal relationships have always played a key role and continuously will play a significant role in people's daily lives. However, the most important and valuable relationship will be that of a parent and a child; the relationship between partners will be second and the rest of the family will follow. South African Statistics indicate that in 2016 alone 25 326 marriages ended in divorce (Statistics South Africa, 2018:6-7). Relationships often do not last and a significant percentage end in divorce. It is always difficult to terminate a relationship that had the dreams of permanency, especially if children are involved. Divorce is traumatic as the emotional, financial and lifestyle changes cause impact on all involved.

During divorce, society redefines families (Ahrons, 2013:6). During such a process, enormous changes will take place within the family which is restructured from a nuclear to a binuclear family. She adds that despite the changes in the family status they must still provide the same "services" for their family members: care and socialising for the children, close and personal relationships will be intact and financial needs must still be met.

The researcher strongly agrees with Amato (2010:652) and Mohi (2015:49) that although divorce had become an increasing part of our daily lives, parties involved can use this potentially traumatic situation to create a constructive experience for all concerned and will even be able to focus on the potentially positive outcomes of parental divorce – especially for children. Amato (2010:659) suggests that researchers should no longer gain

insight into the effects of divorce on children, but rather focus on more important questions on divorce causation. The "how" and "under what" circumstances the divorce accrued can lead to more conceptual perspectives towards the negative or positive outcome of parental divorce. Mohi (2015:50) strongly criticises the research that concluded parental divorce to be negative and harmful to children with an extensive review of the existing literature on parental divorce and early childhood development and concludes that factors such as post-divorce parent-child relationships, children's living arrangements and parental relocation, can, if handled in the correct manner support the positive outcomes of divorce. Mohi (2015:50) explains that if children are removed from high-conflict households, it gives them an opportunity to grow and develop in a safe environment with less stress, better academic performance and a decline in behavioural and psychological problems. Finley and Schwartz (2010:514) state that most children of divorce adapt after time, although they might have difficulties in later developmental stages. Ahrons (2013:2) uses the term "good divorce" as a solution for this world-wide phenomenon. The increase in the divorce rate and the process of divorce is one of the most often mentioned major life events with multiple adjustment issues for both parents and children (Finley & Schwartz, 2010:516, Harkonen, 2013:3). These researchers (Amato, 2010:660; Finley & Schwartz, 2010:516; Harkonen, 2013:3; Mohi, 2015:61) find that parental divorce causes major stress and upheaval for many and a sense of opportunity and personal growth for others, despite varied factors. According to these researchers the factors that influence the effects of divorce on children include coping methods, support from parents, and exposure to parental conflict post-divorce, contact with both parents, the number of transitions and custody arrangements.

2.2   THE PHASES OF DIVORCE

Researchers explain that a divorce is a long, mostly drawn-out process of the ending of a relationship between two individuals. Divorce is the legal ending of a marriage or relationship, which both the individuals have anticipated for a long time (Brentano & Clark-Steward, 2007:341). Divorce is not a one-time event, but a lifelong process and more complex than society makes it out to be. Once a couple makes the decision to get

divorced, they and the rest of the family who had been experiencing the feelings of them not being able to maintain their relationship results in painful events which need to come to an end. Divorce has an impact on all the aspects of family life and all involved are traumatised by this final decision.

Divorce as described in the South African law refers to the termination of a marital union, meaning that all legal duties and responsibilities of marriage are no longer valid. According to the South African Divorce Act (70 of 1979) divorce is the dissolution of a marriage and it acquires legal action. It is also understood that divorce is a process and it involves issues of spousal support, child maintenance, property distribution and division of debt. The Divorce Act (70 0f 1979) has also adapted a no-fault divorce which means that parties can get divorced, without the need to provide a reason or no one are at fault. Furthermore, to safeguard all minor children who are extremely vulnerable when their parents get divorced, the legislation enacted the Mediation in Certain Divorce Matters Act (24 of 1987). This Act established that the Family Advocate, who has the duty to protect the interest of minor children affected by parental divorce, will assist during the process of divorce. Both the above Acts, Divorce Act and Mediation in Certain Divorce Matters Act, together with the Children's Act (38 of 2005) are legislative safety nets to protect children during parental divorce.

The fact remains that the divorce rate is still high in all countries. Belgium has the highest divorce rate with an alarming 70%. Spain, Portugal, Luxembourg, the Czech Republic and Hungary are countries with divorce rates of more than 60%. In the United States the divorce rate is 53% (Vezzetti, 2016:2). In South Africa from the total of 25 326 divorces granted, 55% had children younger than 18 years (Statistics South Africa, 2018:8). Aside from being emotionally, mentally and financially exhausting divorce is extremely complicated and when minor children are involved the divorce process are more complex.

In understanding divorce as a process and the different feelings that couples might have, an overview of the stages of divorce need to be explained. Ebersohn (2006:2) explains that according to the Ecological Systems Theory of Bronfenbrenner the most important

thing that needs to be remembered during the restructuring of a family after divorce is that the development of children now occurs within two families. The micro system of divorced children is now divided into two families or households. She defines the two families into the following: the first parent with whom the child resides is called the *primary micro family system (PMFS)* and the other parental home that the child visits is called the *secondary micro family system (SMFS)*. It is very important to realise that the child is now fully functioning within both family systems, with interaction between these two homes and remembering that both have an influence on one another (Ebersohn, 2006:3). Bronfenbrenner (2005), in his Ecological Systems Theory reminds that during the phases of divorce, the child's optimal developmental functioning will be influenced by both households, interaction between the two and the ease to which the two households can accommodate one another over a long period of time (Benokraitis, 2015:35). According to the Family Systems Theory, the child is functioning as part of a whole and not individually. This perspective specifies that the family as a unit weighs more than any of their individual needs and that an individual can never function outside the family. Goldberg and Goldberg (2008:5) explain that this means that a divorce never ends a family as a unit, but it rather restructures the family. The researcher chooses to use the Ecological System Theory when discussing divorce and its phases, as the individual is a part of different systems and functions and all the systems are influenced in the interaction. Divorce is a life changing process which Bohannon (1970) has divided into six distinct phases (Botha, 2011:17; Combrinck, 2014:13; Ferreira Da Costa, 2007:17; Sauer, 2007:18). According to the researchers above, Bohannon's "six stations", with the last stage defined by Benokraitis (2015:430) as the psychic stage, also called the religious divorce stage, are discussed as follows.

Figure 2.1: Phases of Divorce

Emotional divorce	• Begins before people take any legal steps
Legal divorce	• Formal dissolution of a marriage
Economic divorce	• Conflict over financial issues
Co-parental divorce	• Agreements about responsibility of children
Community divorce	• Informing others about the divorce
Psychic divorce	• Partners separate from each other emotionally and establish separate lives

Benokraitis (2015:431)

2.2.1   Pre-divorce phase

The pre-divorce phase with its different stages will be discussed below:

● **Stage 1: The Emotional Divorce Stage**

This stage normally occurs before any legal process is started. Combrinck (2014:13) states that this phase is identified by feelings of discontent, unhappiness, dysfunction and frustration. Both spouses know that they are not happy about their relationship and its status. The *emotional divorce* centres on the deteriorating marriage (Botha, 2011:17). Researchers (Combrinck, 2014:13, Ferreira Da Costa, 2007:17; Sauer, 2007:18) explain that feelings of anger, frustration, hate, hurt and resentment are prolonged for years and therefore differ from couple to couple. With the positive feelings of love and affection disappearing, these couples drift apart (Ferreira Da Costa, 2007:17).

- **Stage 2: The Legal Divorce Stage**

The legal stage refers to both individuals agreeing that their relationship has deteriorated and that they should start the legal divorce process (Combrinck, 2014:14). Rust Leighman (2009:19) explains that this stage is emotional and financially draining for both individuals. Preller (2013:16) and Kaye (2009:98) include feelings of self-pity, anger and helplessness in this stressful stage. Both these researchers add that if children are involved more stress and challenges may be added, owing to decisions on residence, care of the children and contact issues which need to be dealt with.

A child's ability to cope with divorce also depends on whether the parents settle into amicable (or at least silent) relations or continue to feel angry and conflicted. Children will eventually recover from the parents' divorce, unless the parents continue to quarrel about visitation rights, take each other to court, or fight with each other at every visit (Robinson, 2009:47). From the view of children's adjustment, an amicable divorce is better than a bitter marriage, but a prolonged and bitter divorce is worst of all. Researchers (Botha, 2011:18; Combrinck, 2014:13; Sauer, 2007:18) agree that these negative feelings harm the communication relationship between the spouses which negatively impacts the children involved. Preller (2013:9) states that legal divorce requires stating of the reason for divorce. This means that everyone will state their reason for getting a divorce and disagreement normally exists about who is to blame for the end of the marriage. Amato (2012:5), Collardeau and Ehrenberg (2016:24) and Preller (2013:2) emphasise that even though the "no fault" or without "wrongdoing" by one of the parties are legal terms describing the reason for divorce, the law usually uses incompatibility as reason for divorce. These researchers contend the terms of not identifying the blaming party is a way of moving away from the blaming game that is often involved in parental divorce. During this stage all legal documentation is prepared, and parents engage in the drafting of the parenting plan.

- **Stage 3: The Economic Divorce Stage**

Ferreira Da Costa (2007:18) refers to the economic stage as the stage where a reality impact presents to both individuals. During this phase the financial implications become

harsh, as the second financial contributor to the family income disappears (Ferreira Da Costa, 2007:18). Combrinck (2014:13) explains that this stage is recognised by parents separating, sorting all their legal documents, negotiating on the terms of settlement, child custody and the drafting of parenting schedules. Combrinck (2014:13) and Rust Leighman (2009:13) include feelings of disagreement, arguments, resentment, and conflict, fear, bargaining and pleading in the economic stage of divorce. The fact that emotions are increasing, and due to the division of assets, and couples often turn to the court for assistance during this phase.

- **Stage 4: The Co-Parental Divorce Stage**

Researchers (Combrinck, 2014:13, Ferreira Da Costa, 2007:18, Rust Leighman, 2009:13) classify this stage as the most difficult stage of divorce, as adults start to confess that they are divorcing and during this phase, the conflict about parenting and custody starts. Combrinck (2014:12) states that this stage is recognised by feelings of parental guilt, uncertainty and concern for their children's adjustment. Parenting and contact are two aspects that cause parental conflict during this stage. Rust Leighman (2009:13) adds that the co-parental phase involves challenges for both parents owing to the psychological restructuring of new homes for them and their children. Rust Leighman (2009:13) explains that both parents often over-compensate for the family loss and end in power struggles with each other. Preller (2013:12) adds that the co-parental divorce includes aspects like custody, single parent households and visitation. Both Rust Leighman (2009:13) and Preller (2013:12) mention that this is an emotional part of any divorce as many challenges such as residential arrangements, engaging in the drafting of a parenting plan and resolving disagreements between parents need to be resolved.

- **Stage 5: The Community Divorce Stage**

This stage of divorce addresses both individuals trying to restructure their own lives within the community and social context (Combrinck, 2014:12). Ferreira De Costa (2007:18) states that a divorce is more than an individual or personal issue, it includes and changes the whole community and the socialization within a certain group. Botha (2011:14) refers to enormous social changes that need to be made to establish social balance during

divorce. Feelings of relief, excitement, and the reality of the finality of the divorce changes fast to loneliness, disloyalty and fear of new beginnings. For all involved friendships are lost, isolation from certain social/community groups takes place and adjustments in daily living arrangements need to be made (Preller, 2013:13).

- **Stage 6: The Physic Divorce Stage/Religious Divorce stage**

This stage includes making peace with the divorce and seeking assistance from different religious systems (Combrinck; 2014:13). Ferreira Da Costa (2007:19) and Rust Leighman (2009:14) refer to this stage as a restoration period for the individual, as a new independent identity is formed. The researchers refer to the individual needs of a spouse that need to be redefined in terms of personal growth/development, vocational adaption, sexual changes and social adjustment. Preller (2013:13) acknowledges that feelings of guilt, revival and shame are signs of the new beginnings. Benokraitis (2015:431) explains that during this phase adult literally separate from each other and start on their journey to a new life. During this process of ending, the role as married individual changes to a single autonomous individual. Major changes take place in daily decision-making tasks. Prior to the divorce, daily activities of child raising, and financial functions were a dual responsibility and now individual decisions need to be made. In many cases divorcing people battle with this (Botha, 2011:16).

It is important to note that each stage takes time and is an individual process. No two divorcing families are the same and it takes time to adjust to all these challenges. Parents should assist their children through this process and make sure that they adjust well.

2.3   EFFECTS OF DIVORCE ON CHILDREN

Divorce, even with agreeable conditions, may result in continuing disturbance for children in their caregiving schedules (Robb, 2012:16). After divorce most children battle to form established good relationships with their parents and research done by Amato et al. (2011:513) shows that young children display the least behavioural problems. Mohi (2015:52) supports the research on the effects of parental divorce that can be controlled

by certain factors. Children perceive their parents' divorce with greater ease if both parents stay involved in their lives, especially father involvement. Other factors include secure living arrangements, minimum conflict between parents and open communication. Amato and James (2010:12) summarise that children function well after parental divorce if their standard of living does not decline, residential mothers are psychologically stable, both parents maintain close relationships and there is an amicable post-divorce relationship between parents and with co-parenting. Collardeau and Ehrenberg (2016:31) explain that the ease of the parental divorce, inter-parental conflict pre- and post-divorce, personal characteristics and the families' attitude will influence a child's reaction.

The effects of divorce on children are generally divided into two schools: the first school falls under the research of Wallerstein (2001:58) where she paints a very dark and doomed picture for children of divorcing parents. She purports that these children will be scarred for life, with serious problems from the start continuing into adulthood. This school, under Wallerstein, claimed that the consequences of divorce are traumatic and will have a negative impact on the rest of the children's lives. The other school of research on parental divorce was headed by Paul Amato. This school asserts the effects of parental divorce are short term and that all involved can adjust and implement aspects that can make the transition less traumatic (Amato, 2001:355).

Although earlier research was divided into two schools, worlds apart, more recent research conclude that the general reaction of children to divorce will be anger, fear, grief, happiness, shame and brokenness (Clandos & Kemp, 2007; Preller, 2013; Robinson, 2010). The impact of divorce on children has been studied by many researchers and they conclude that various factors influence children's reaction to the divorce. This may include the child's age, gender and the extent of conflict between their biological parents. Robb (2012:18) emphasises that parental conflict and less communication about the children result in negative outcomes for the child.

The child's age is a very important factor, especially when referring to their understanding and maturity (Robb, 2012:18; Sanders, 2007:67). Temke (2006:35) of the University of

New Hampshire explained in her article on the effect of divorce on children that age is very important when children are involved in parental divorce. She explains that toddlers might blame themselves for the divorce, as they might think the divorce is because of their misbehaviour. Adolescents on the other hand can act in a moody manner or might even take on more responsibilities than are age appropriate. Adolescents tend to blame parents and can easily take sides in terms of their parents. Mohi (2015:51) states that children's reaction to parental divorce depends on the individual's experience and interpretation of the divorce, rather than the divorce per se.

Boys and girls respond differently to divorce (Temke, 2006:37). If after the divorce a child is raised by a parent of the same sex, the adjustment seems to be more successful than when raised by the opposite sex parent. Temke (2006:37) immediately adds that the importance of the kind of relationship between parent and child is however even more determining than being of the same sex.

In research done by Bojuwoye and Akpan (2009:75) they state the factors influencing a child's reaction as age, gender, socioeconomic status, relationship with their parents beforehand, the child's involvement in parental conflict, the parent's ability to separate their role as parent from that of spouse, conflict that continues and the emotions of both parents after divorce.

In her book, *Divorce Wars: Interventions with Families in Conflict*, Elizabeth Ellis (2000:32) sees the conflict between parents as the most crucial factor for children. She writes that younger children often show more emotional response in the form of frowning and crying. Children also often shield themselves by shying away from the conflict between their parents or they try to stop the fighting in their own way. She underlines the age of the child when she explains that children during the elementary school years tend to avoid the conflict between their parents as a coping mechanism. Children in their adolescent years choose to side with one parent. Ellis (2000:32) states that parents should understand that their behaviour impacts on their children after divorce since parents are the pillars of stability of the family system and they should give their children the necessary security to

develop into well-adjusted adults. Parents should always remember that their fighting, disrespect towards each other and their co-parenting style will give their children the foundation to handle the challenges post-divorce. Ellis (2000:34) emphasises that children should feel protected, loved and supported by both parents after divorce. The fact that both parents can stay involved in their children's lives will make them thrive.

Parental divorce affects all involved and over time, views have ranged from long-term negative effects on children's emotional and socioeconomic well-being to modest effects on emotional and educational outcomes (Amato, 2010:651; Amato & James, 2010:11; Harkonen, 2013:19). These researchers concluded that growing up in a high conflict family can have negative effects on a child's well-being and emotional development. Harkonen (2013:20) further mentions that parental divorce causes anxiety and stress to children due to parents' inability to engage in effective co-parenting. Amato (2001:335) supports the research on positive outcomes on parental divorce, especially if parents stay involved in their children's lives and communicate with the other parent. Children battle with parental divorce if they are trapped in the middle of the post-divorce conflict.

The conclusion of the literature on the influence of parental divorce on children (Bojuwoye & Akpan, 2009; Hetherington & Kelly, 2002; Kelly & Emery, 2003; Kaye, 2009; Robinson, 2009) indicate that the following factors can be associated with children's reaction: age, gender, socioeconomic status, relationships before the separation, parental conflict and the child's participation, the parent's ability to parent after divorce, conflict that simply continues and the child's experience and feeling of loss – loss of his/her family unit, loss of security and loss of the alternate parent.

Kaye (2009:123), Robb (2012:18) and Robinson (2009) explain that children react differently to parental divorce and that this should be addressed as an individual process. Professionals and parents should be aware that children's known world is about to be changed, their emotional security becomes weak and when the one parent leaves they often feel abandoned. Not only do these children's lives need to be restructured, but they need to cope with feelings of loss and most of the time they have the fear of never

recovering. This feeling of abandonment can lead to other psychological problems. Children can react to these feelings of emotional insecurity in the following ways:

- Anger directed to others and themselves
- Testing all rules and authority
- Change in their sleep pattern
- Feeling guilty and scared
- Total withdrawal from family and social interaction with friends.
- Abuse of alcohol and drugs
- Experimenting with sexual activities
- Acting in a violent manner
- Thoughts of suicide or self-destructive behaviour.

These reactions can be minimised by the way parents handle their divorce and the ability to co-parent after the separation (Gildenhuys, 2015:110). Children will be less emotionally scarred and distressed if they are not subjected to the negative influence of the turmoil of their intact family. For some children, divorce is an escape from a troubled family with all the fights and angry parents.

Ferreira Da Costa (2007:19) and Rust Leighman (2009:9) underline the fact that divorce is a continuing process of grief and growth. These processes link with the bereavement process of Kubler-Ross of death and dying (Gildenhuys, 2015:12), because the adjustment to the divorce is an emotional adjustment. For children these adjustments are stressful and full of anxiety. Rust Leighman (2009:9) states that these feelings and reactions should be recognised and managed. According to both these researchers (Ferreira Da Costa 2007:19; Rust Leighman, 2009:9), this model includes transitional changes of denial, anger, bargaining, depression and acceptance. The following reactions of spouses may be identified during divorce:

- **Denial** refers to the total disbelief of the reality and the other individual's ability to cope with the change and restructuring (Rust Leighman, 2009:9). Often insecure spouses refuse to participate in decision making or accept that the marriage has ended.

- **Loss and depression** include the acceptance that the relationship is over, and feelings of grief, depression, isolation and miscommunication are involved (Ferreira Da Costa, 2007:19)

- **Anger and ambivalence** include more energy consumed by emotions and less by problem solving. During this stage the couple normally argue about financial responsibilities and living arrangements for the children (Rust Leighman, 2009:10). This is a confusing phase that ranges between anger and peace.

- **Bargaining and identity** involves both or one of the individuals reasoning around the age of the children, complaining about the family's current financial state, emotional instability or any other form of bargaining for the divorce not to take place. Kaye (2009:34) explains that after the bargaining has not succeeded the redirection of an individual's life starts to take form and planning for the future start to emerge. Ferreira De Costa (2007:20) identified the re-establishing of an individual's life in terms of all social, emotional, personal and occupational areas post-divorce as occurring in this stage.

- **Depression** is a very difficult stage of any parental divorce, due to the emotionally challenging time. Rust Leighman (2009:9) explains that depression, usually maternal depression, negatively influences the psychological well-being of children, because during this process the child feels insecure because of a lack of parental support, which affects the quality of attachment of the parent-child relationship.

- **Acceptance** is the final stage of emotional/coping/adjustment/reactions to divorce and during this period, individuals decide to accept the reality of their relationship and regain control in the process of letting go. Ferreira De Costa (2007:20) identifies the individual functioning as a crucial factor of this stage, as living an individual life lets people discover new meaning to one's own functioning. Rust Leighman (2009:9) refers to this as the termination phase, during which both parties accept the termination of their marriage.

There is no specific order to the above phases and acceptance is an individual process for all involved (Botha, 2011:16; Combrinck, 2014:32; Ferreira De Costa, 2007:21; Rust

Leighman, 2009:9). Kaye (2009:34) explains that everyone will finally reach a point of compliance to the change, going through the emotional turmoil of the resistance and finally realising there is no point investing time or energy into a relationship that is not going to work.

2.4 CHILDREN'S REACTION TO PARENTAL DIVORCE WITHIN THEIR DEVELOPMENTAL PHASE

Divorce affects all children, but individually each child's processes are unique and are based on age or developmental phase (Greenwood, 2012:2). Adler (2012:3) professes that a child develops within distinct stages which brings different cognitive and social competencies by which they master strategies for coping. These developmental levels play a key role in how he or she experiences the process of divorce. A child's emotional reaction is a very personal experience and parental divorce does not influence all children in the same way. Children experience their own patterns of anger, sadness, relief, rejection, confusion and loss according to their specific developmental phase.

2.4.1 Developmental phases

Children's reaction to parental divorce should be seen holistically which includes age, temperament and the developmental stage of each individual child (Burke et al., 2009:8-12; Greenwood, 2012:1-17; Harkonen, 2013:16-22; Landucci, 2008:11-13; Robinson, 2009:48-51; Sanders, 2007:70-73; Usakli, 2013:256-258). The following information is based on research on the effects of divorce across developmental stages and underlines the essence of a child's experience in line with the developmental stage:

● **Infants (0-2 years)**
Adler (2012:4), Burke et al. (2009:8) and Usakli (2013:257) state that little is known about the effects of divorce on children younger than two years old, because of their cognitive inability to understand what is happening at the time. These researchers agree that young children do not always suffer if a divorce occurs, but problems may occur if a close

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relationship or bond between a parent and child is broken. Adler (2012:4) adds that although infants cannot understand the divorce cognitively, they can easily pick up on conflict between parents, which invariably causes stress. The most important aspect with infants is to create a trusting relationship between parent and child, as feeling secure is very important. Infants are in the beginning of learning to trust other people and during divorce an important level of security is vital (Sanders, 2007:70). An infant who does not learn to provoke and receive comfort and support from adults is physically and emotionally at risk.

Newman and Newman (2003:6), as developmental specialists, explain that children in this age group depend on their parents for physical and emotional developmental needs. They form a great attachment to their caregivers and need all adults involved in their lives for them to develop emotionally and psychologically. Garber (2010:40) explains that attachment theory refers to a child's learned experience of security in relation to his/her caregiver's sensitive response to his/her basic needs within the larger family dynamics. Newman and Newman (2003:6) are of the opinion infants have a limited understanding of their world and the whole concept of divorce will not make sense to them.

Robinson (2009:48-49) divides infants into three groups: 1) Infants who are in specific sleeping/eating routines and who feel content. These infants only cry when there seems to be a reason and are easy to handle. 2) Infants who adjust in time and are slow. They take time to trust adults but can adjust. 3) Infants who are difficult, as they have no set patterns. These infants cry easily and are very demanding. Burke et al. (2009:8) support Robinson (2009) by highlighting the importance of forming secure attachment relationships in infancy in explaining that infants and toddlers easily develop insecure and disorganised attachment styles if they experience a high intensity of parental conflict and disrupted care. It is imperative that living arrangements post-divorce accommodate the developmental need of infants under two years to maintain their naturally occurring attachment hierarchy and to specifically support the infant's psychological and neurological need for predictable caregiving and a set routine (Kaye, 2009:67).

Robinson (2009:49) explains that delays because of the parental divorce in the developmental milestones might take place and parents should focus on the needs of their infant to guarantee security by means of a trusting relationship during the divorce. Burke et al. (2009:8) add that infants have no sense of time to understand or adapt to separations from primary attachment figures and therefore secure relationships with all members of the infant's attachment hierarchy should be maintained.

● **Toddlers (2-3 years)**

According to Robinson (2009:49) these small children feel insecure easily and fear results in anxiety. She adds that children in this age group are very dependent on their parents and need a parent physically close, for instance in the room with them. Toddlers are highly dependent on their parents to fulfil their basic needs and if not met, they suffer from separation anxiety (Burke et al., 2009:9). Adler (2012:5) explains that toddlers experience parental divorce more intensely primarily because they are cognitively more developed and understand more of what is happening.

Parents should realise that children under the age of three understand if something is wrong; their sense of emotional security lies with their parents (Bojuwoye & Akpan, 2009:78). If parents feel anxious, depressed, stressed, sad or angry these emotional insecurities are transferred to the small child. Forming a relationship with this group may be very daunting, as structured play is not always possible and strict boundaries with loving parents is a basic need during divorce (Robinson, 2009:49).

● **Preschool (3-5 years)**

Children in this age group grow and develop quickly physically and emotionally (Newman & Newman, 2006:7). Burke et al. (2013:9) explain that preschool children are less able to appraise accurately the divorce situation and the motives and feelings of their parents. This age group may blame themselves for the divorce, they fear abandonment, misread parents' emotions and easily harbour the fantasy of parental reconciliation. Temke (2006:13) and Burke et al. (2009:9) add that children aged three to five may blame themselves for the divorce, often fear abandonment by both parents and have fantasies

of reconciliation. Usakli (2013:257) explains that being egocentric in their thinking, this age group shows regressive behavioural signs such as wetting the bed and wanting their security blanket or toy. In this age group, children may deny that anything has changed, and they become uncooperative, depressed or angry. Usakli (2013:257) and Landucci (2008:4) add that pre-schoolers may become extremely needy, anxious, aggressive and disobedient towards their parents.

Parental divorce is most traumatic for this age group and they easily feel sad, tearful, abandoned, alone, guilty, detached, fearful and often start to withdraw emotionally (Robinson, 2009:54). Robinson (2009:55) states that these children protect themselves by creating defence mechanisms such as denial, regression, aggression, withdrawal, anger and physical illness to cope with feelings of loss and helplessness. During this process of denial, these children have prominent levels of frustration, they act in a self-destructive manner, panic easily and are stressed.

Although children in this age group can deal with more changes to their surroundings and are more adaptable than infants, they still need predictability (Kaye, 2009:132). Children at this age fear being abandoned, they might experience delay in developmental milestones, and they may be emotionally demanding and have increased feelings of anger and physical complaints like headaches or stomach problems. Researchers (Burke et al., 2009:9; Bojuwoye & Akpan, 2009:78; Kaye, 2009:132, Robinson, 2009; Usakli, 2013:258) state parents should be consistent in their routine, reassure children of their love, be clear and simple in their explanations of information, communicate with caregivers and teachers on any possible change and support each other as co-parents.

● **Early school age (6-9 years)**
Burke et al. (2009:10) note that young school-age children are more verbally articulate and therefore able to express their feelings. Children in this age group try to gain mastery at school, they are trying to develop peer relationships and become competent in certain tasks. Usakli (2013:258) adds that children in this age group easily take sides over parents and blame the one they think caused the divorce. Children in this age group experience

parental divorce as a grief process and suddenly develop general fear about their own world (Kushner, 2009:498).

Children at this age feel abandoned and lonely after their parents' divorce (Usakli, 2013:258). Owing to their ability to communicate they express their feelings of hurt, anger and sadness. Psychologists argue that the adjustment to parental divorce is most difficult during this age, owing to the degree of understanding by them and their inability to control their reactions (Usakli, 2013:258). These children often feel rejected and complain of headaches or stomach aches. Brink (2009:15) explains that this age group think more abstractedly; they wonder about their own future and their family's function is of great concern. Children in this age group often regress and developmental delays increase.

Early school aged children may unfortunately have many unresolved feelings of sadness about their parents' divorce and often blame themselves for their parents' divorce and overcompensate in helping to run the household (Robinson, 2009:59). Robinson (2009:59) adds that due to the child's own inability to handle his or her own grief, sadness and pain, they often tend to fulfil the role of parent and suddenly are less interested in things previously enjoyed. Children in this age group have over-developed anxiety, cry and are overall frustrated with the situations they cannot control. Children often show signs of depression, emotional detachment, laziness, obsessive denial, withdrawal, and hurt (Robinson, 2009:59).

Burke et al. (2009:10) are of the opinion children of this age may tolerate lengthier separations from their parents and with greater success adapt to shared care between separated parents. Parents should take extra care of their children's emotional needs during the separation, reassure them that divorce is an adult decision and give them age appropriate information on the changes that will take place in due course.

● **Middle school age (9-12 years)**

Children in this age group can express their feelings and often demonstrate conflicted loyalties to one parent (Burke et al., 2009:11). Brink (2009:19) mentions that pre-teens

frequently try to be brave and give the impression that they are strong however, they still need their family for care and support. The above researchers agree that pre-teenagers are very impressionable and closely evaluate their parents' behaviour before forming their own views. Burke et al. (2009:10) state that parents and professionals should remember that older children have a more sophisticated understanding of the interactions between adults and understand that one or other parent will have to compromise or change. This age group tends to be most sensitive to ongoing arguments and conflict between parents and sense with great ease whether it has been resolved. Brink (2009:23) explains that although children's logical thinking allows them to understand that divorce is an adult issue, they will react to their parents' disagreement about their own disagreement. For children in the middle school age group the memories of events they shared when their parents were still married make their adjustment easier (Bojuwoye & Akpan, 2009:78). Children in this developmental phase often feel angry, frustrated, project passive-aggressive behaviour, are tearful, develop psychosomatic symptoms, feel rejected, embarrassed, overwhelmed and abandoned (Robinson, 2009:61).

- **Adolescence**

Usakli (2013:258) acknowledges that adolescents whose parents get divorced, have frequent feelings of anger, sadness, shame, helplessness and a total sense of betrayal by their parents. Adolescents tend to cope by distancing themselves from their parents and families, while battling with their anger, fear, loneliness, depression and guilt (Usakli, 2013:258). Adolescents often experience premature detachment from their families during divorce, which leads to greater involvement with peer groups. Unfortunately, adolescents can then associate with antisocial groups or negative activities with little adult monitoring (Burke et al., 2009:12).

After parental divorce, adolescents unfortunately often turn to promiscuity, eating disorders and abusing alcohol or drugs (Robinson, 2009:64). These adolescents are angry most of the time, have severe mood swings and show signs of depression. Brink (2009:38) states that adolescents often do not see the worth of relationships especially now that their parents' marriage did not work out, they have feelings of failure about

relationships with the opposite sex, adolescents often avoid their parents, their behaviour changes drastically and they act out through sex, criminal behaviour and drugs. After parental divorce, adolescents often feel pressured to become more independent and are often unenthusiastic in their general performance.

Based on clinical and empirical studies in the recent years on parental divorce and developmental phases, Usakli (2013:258-259) summarises the following developmental considerations: Children aged three to five years have a lack of understanding of the family situation. They feel insecure and frightened. Children start whining, crying, have clinging behaviour and nightmares accrue. Their sleep and eating habits change dramatically and they have temper tantrums. Overall these young children regress to more infant-like behaviour. Children age six to eight years battle to separate their own feelings from their parents. These children have feelings of sadness, loss, they are frightened, uncertain and very anxious. This group is disorganised, and they do not settle. Often, they have school work problems and feel abandoned by the non-residential parent, therefore they lash out at the custodial parent. Feelings of denial, self-blame, alienation and insecurity are part of their daily life. Children in this age group may attach themselves to other available adults for security. Children 9 to 12 years old have a sense of great loss. They feel rejected, helpless, lonely, ashamed, embarrassed and powerless. Psychosomatic symptoms arise due to their feelings of anger, withdrawal or being overactive. These children often blame one parent for the divorce and anger is directed at them. Feelings of mixed loyalty, loneliness, depression and anxiety are a daily struggle to them. Authority seems to be a huge problem and these youngsters seek support from significant others.

Despite the increased prevalence of parental divorce, it is still troubling and painful for children of all ages, because human-beings do not break their attachments lightly (Usakli, 2013:257). Children may persist in their attachment to an abusive parent long after the parent has abandoned them. Underlining the above-mentioned difficulty that children face during parental divorce researchers agree that there are several factors that influence a child's ability to adapt after the divorce.

2.5 FACTORS THAT AFFECT CHILDREN'S ADJUSTMENT TO DIVORCE

With approximately one-third of all marriages ending in divorce in South Africa an estimated 40% of the 18 million children are being raised in single households, which means that traditional family systems are changing (Preller, 2013:4). A child's reaction to parental divorce is affected by family conditions before and after divorce (Sara, 2011:303). Several factors can influence a child's experience of parental divorce. Collardeau and Ehrenberg (2016:24) identify three basic factors that proved to exacerbate the impact of parental divorce: firstly, there are transitions following the biological parents' divorce which heightens the risk for poor adjustment because of unstable alternative caretakers; secondly exposure to continued conflict between parents and thirdly the custody by a single parent.

Mohi (2015:49) researched the positive factors towards a child's adjustment and distinguished between internal and external factors (Mohi, 2015:50). The first of the internal factors refers to a child's coping mechanism, or the two-way support system between children and parents. Mohi (2015:50) states that the ability to communicate their basic needs and insecurities within a supportive relationship results in all parties reacting more positive. The supporting system is characterised by three basic principles: empowerment to growth, empathy in the feelings of others and relationship understanding in the form of having realistic expectations of each other (Mohi, 2015:50). Further, Mohi (2015:50) identified the individual's experience related to the parental divorce. The individual's experience and interpretation of what happened seems to play a vital role in the attitude towards parental divorce (Mohi, 2015:50).

Externally, Mohi (2015:51) refers to all factors outside the individual or family system. Children might experience and internalise their parents' divorce differently based on their gender. In this instance, an absent father might be a role model for boys, while the females regard this to be a clear example of an absent partner to their mother.

Finally, Mohi (2015:55) identified the co-operative relationship between parents to be a valuable factor on children's reaction to the divorce. Mohi's (2015:57) research concluded that continual father involvement is important and beneficial for both males and females.

Growing up in a high conflict family can have negative effects on children's well-being and in such cases parental divorce may have positive effects (Harkonen, 2013:19). The immediate economic consequences and general instability surrounding family instability have an influence on the child's reaction to the divorce (Harkonen, 2013:19). The adjustment of the parents and their parenting practices during divorce contributes to their children's adjustment. Harkonen (2013:21) states that the relationship between the alternate parent and the extended family also influences the child's ability to adapt, as continuous contact with significant others is very important. Joint custody can also have positive effects on several well-being outcomes of children, because of the extension of the father-child relationship (Harkonen, 2013:21).

Haimi and Lerner (2016:5) conclude that a few factors can be identified that can assist children to adapt after parental divorce. Factors include the living arrangements of children post-divorce, especially in instances where children are restricted to having contact with members known to them. Children fare better behaviourally and academically if their living arrangements include the support and love of fathers who are involved actively in the daily life of their children (Haimi & Lerner, 2016:5). These researchers also state that children prefer more contact with the non-custodial parent than parents agreed upon and in most instances these children prefer a plan with shared physical custody. These children and adolescents explain that they feel more loved, satisfied and less rejected when both parents have full access to them (Haimi & Lerner, 2016:5).

Laumann-Billings and Emery (2000:3) drafted the following Bill of Rights for children of divorced parents:
- Children have the right to be loved by both parents, without feeling guilty.
- Children should be protected from any anger parents might have against each other.

- Children have the right to be protected from taking sides between parents, or from being placed in the centre of their parent's conflict.
- Children should never have to choose between the two people they love most.
- Children should not be burdened by parents' emotional issues.
- Children have the right to information about any changes that might be made.
- Children have the right to financial stability.
- Children have the right to their own feelings and to verbalise these feelings freely.
- Children have the right to the same standard of living they were used to when still part of the intact family.

Children are most likely to recover from parental divorce once parents stop quarrelling around visitation rights, stop threatening with court procedures and put the needs of the child as priority. Usakli (2013:259) concludes regarding children's adjustment "that an amicable divorce is better than a bitter marriage, but a prolonged and bitter divorce is worst of all".

2.6   CONCLUSION

The literature has shown that parental divorce is not an isolated event in a family or child's life, but it affects the family as a unit. Researchers agree that children do not take divorce lightly and often struggle with feelings of loneliness, rejection, abandonment and fear. In addition, the literature thus suggests that divorce should not be only seen as negative, because parents can contribute to the positive outcome in the end.

After the researcher examined literature related to divorce and the influence on children it can be said that divorce is a traumatic experience for all involved and restructuring the family ties after the decision to divorce is equally difficult. The influence of divorce on children should be evaluated in their different developmental phases as children's ages determined their reactions. It is also clear that parents can create post-divorce circumstances to support their children's adaption to this life changing process.

CHAPTER 3

THEORETICAL FRAMEWORKS: DIVORCE FROM A SYSTEMS PERSPECTIVE

3.1   INTRODUCTION

Every year thousands of core families are engaged in the process of the traumatic shattering of their lives through divorce. During this time, most family members struggle with the restructuring of their family system and the dividing of their core family into two households. Eddy (2014:6) explains the increase of parental divorce in the world have dramatic changes in our societies. A shift is taking place from rigid families to flexible family structures (Eddy, 2014:6). The changes in families in our social systems have an unpredictable effect on the future of family and social systems.

Ahrons (2007:52) uses the term "binuclear" to describe the post-divorce family and the changes that need to be made. The changes that need to be made is the mind shift and functioning from an intact family to a "binuclear" family. Even if the resources of Ahrons are dated, the researcher regards the information as crucial in contextualising parental divorce and the change in the family system. Ahrons (2007:12) explains that families change from "intact" to being "dissolved". This means that families change from being two-parent households to single parent households. The new developments of step-parents, step-siblings, full siblings, half-siblings and the stress of forming these new relationships and new family relations bring huge challenges. The author highlights the interconnectedness between the various individuals and the stress it has on the members of the family.

Divorce and the traumatic effects on all family members has been explained in the previous chapter, but the researcher needs to highlight the rearrangements that all family members, especially children need to deal with. Many parents remarry, and new relationships are formed, which complicate the children's lives with stress and change.

Much research has been done on divorce as a phenomenon that are experienced by millions of children in the present day, but the impact and stigma that these children experience may impact them for life. Feelings of failure, loss, anger, betrayal, loneliness and psychological issues should be acknowledged, and these individuals need to adjust to changes as families, personal reorganization, adjustment to new roles and responsibilities, different lifestyles and interacting within newly formed communities (Robinson, 2010:). Preller (2013:47) highlights the reorganization of the families into single-parent or step-family households as being the most complicated process. Therefore, divorce is a life changing process, with stages that all individuals need to work through, rather than a single detached event.

The structural changes that these families need to make moving from intact families to "binuclear" (Ahrons, 2013:3) families affect the individuals, their families and in the end the society at large. Ahrons (1989:42), although a dated reference, developed the term of "binuclear" families and explains that the term "binuclear" family refers to a family system with two nuclear households, whether the two households have equal importance or not. Understanding the changes in all systems, it is important that the theories of a family and different systems within the communities need to be fully explained. The changes that take place during divorce will be addressed within the family systems theory and the ecological systems theory.

3.2   DIVORCE AND THE CHANGE IN FAMILY SYSTEMS IN SOCIETIES

Robinson in her book, "Divorce, what about the Children" states the most important fact about divorce as: "Although divorce takes place between two people, it affects the whole family and other systems" (2009:16). In an estimated 55% of all divorces, the children are also involved in this process (Statistics South Africa, 2018:8).

Divorce is a process of mourning during which the individuals come to terms with their loss; loss of a previous happy and stable time; loss of a partner and father and the huge loss of the family unit that created protection and belonging (Preller, 2013:85-88). For the

family system, this loss means minimal contact with children, changing from homes, and/or losing friends and extended family. The family known as a unit will change, but the individuals will move through the stages of divorce on their own time, leaving other family members being confused, rejected and disengaged (Preller, 2013:87). While some members of the family remain in the stage of denial, some will experience anger and negative moods. Some members might feel detached and might have signs of depression. After completing the previous chapter on divorce and the influences on children, the researcher can clearly state that the children's sense of security and stability are undermined during the initial stages of divorce. The two people and their unity that gave stability and a safety net to children are no longer one and the most stable foundation known to the child is splintered.

Fagan and Churchill (2012:40-42) emphasise that the overall family stability is undermined and the influence of constant changes that individuals need to make directly influences the family's functioning. According to these researchers (Fagan & Churchill, 2012:45) the family's cohesiveness, flexibility, communication and the meaning of the family unit changes. The change in cohesiveness refers to the degree in which the family used to connect emotionally or how they depended on each other. Flexibility refers to the change in family patterns that are made and whether members can adjust to these changes. Fagan and Churchill (2012:46) state that the family communication is under pressure, as the parents or children might not talk to each other regularly or are not able to express their feelings towards each other. Fagan and Churchill (2012:48) identify the biggest challenge being the concept of family going forward. Divorcing/separating families need to identify their own identity and worldview.

Àngarne-Lindberg (2010:11) explains that divorce results in a dissolution of the primary subsystem of the family causing changes in the family system. It is important for post-divorcing families to reconstruct themselves and to find balance in their functioning. All professionals working with families during the process of divorce should be aware that the roles of the individuals in the family will probably change but these changes do not

necessarily eliminate the parent-child unit. Divorce, in the end, should not create distance between the parents and the children.

3.3   FAMILY SYSTEMS AND DIVORCE

To be able to provide the theoretical framework for the research study, the nature of the Family Systems Theory will be discussed.

3.3.1   The nature of the Family Systems Theory

The Family Systems Theory of Bowen is a theory of human behaviour, which studies the interactions between family members and focus mainly on the family as an emotional unit (Finley & Schwartz, 2010:517). Strong and Cohen (2017:52) regard the Family Systems Theory as a structure of related subsystems: the spousal subsystem, the parent-child subsystem, the parental subsystem, the sibling subsystem and the personal subsystem. They state that various parts have certain functions and that the most important task in the end is maintaining boundaries as a family. All communication, interaction, separateness, connectedness, loyalty, independence and adaptation to demanding situations should be recognised when going through a divorce as it has an influence on the entire family. Sutphin et al. (2013:502) describe divorce within the Family Systems Theory as the process that changes the family structure and the overall function of the members, which immediately creates disorder. The focus of the Family Systems Theory is to understand and interpret the cognitive, social and emotional functioning of individuals within a family or larger society (Sutphin et al., 2013:502). A primary concept of the Family Systems Theory is that one family member influences the others in the connecting systems (Walker, 2012:16).

Walker (2012:8-16) explains that families play a key role in its members learning skills that empower them to function in larger and more formal settings, such as school and the workplace. The Family Systems Theory conceptualises the family as a system, with various parts, each influencing the other and granting growth in the end. The family is

always changing, self-organising and adaptive towards the members and environment (Walker, 2012:19).

The emphasis of the theory is not on individual family members, but on how the members interact with each other. This means professionals will look at the communication of family members, the way in which family patterns evolve and how individual personalities affect family members (Benokraitis, 2015:41). A family system consists of more than its members and the interaction between these members. Their patterns of interaction directly influence each other (Strong & Cohen, 2017:52). During this study, the family system will be used to identify how the family members influence each other during the stressful times of divorce/. As the boundaries of the families' change, the analysis will change from family members to the relationship between family members and outside groups. Sutphin et al. (2013:502) explain that families are systems that may become dysfunctional due to problems within, but also add that the family can return to a healthier state of functioning (homeostasis) by improving communication patterns and interactions, internal and external boundaries or by restructuring family roles. Strong and Cohen (2017:52) support the opinion of Sutphin et al. (2013) about the dysfunction that creates a disequilibrium. A change in the family creates disequilibrium, which in return creates stress for all members involved.

According to Johnson (2010:80) the Family Systems Theory is based on several assumptions:
- All families are unique, due to their different personal characteristics, their own opinions and beliefs;
- The family is constantly interacting with shifting boundaries and automatically show resistance to any change;
- Families have a variety of functions to fulfil to their individual members, as well as to the collective family unit if growth and development needs to take place;
- All families have stress affecting all members due to the developmental/non-developmental changes that takes place.

Based on Johnson (2010:80) and Eddy (2014:6-7) Figure 3.1 illustartes the Family Systems Theory:

Figure 3.1: Family systems theory

Family System

```
                            Inputs
   ┌──────────┐
   │ 1. Family│  ←
   │ Structure│        ╲
   └──────────┘          ╲
      ↓  ↑                 ╲
    ╭────────╮    ┌──────────┐
   ╱          ╲   │ 4. Family│
  │ 2. Family  │  │ Life     │
  │ Interactions│ │ Cycle    │
   ╲          ╱   └──────────┘
    ╰────────╯        Change/
      ↓  ↑            Stress
   ┌──────────┐      ╱
   │ 3. Family│     ╱
   │ Functions│  ←
   └──────────┘
            Outputs
```
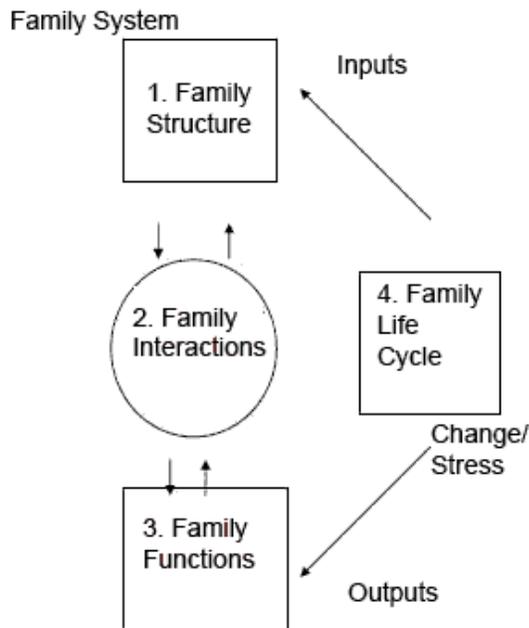
The above illustrates the necessity to get a clear picture of the family unit, the processes and the changes that took place within the family unit. Sutphin et al. (2013:506) explain that the Systems Theory views individual family members in the context of the whole family and therefor focus on the relationships between family members. These researchers (Sutphin et al., 2013:506) state that the theory focuses on the effects of a cycle of interactions and behaviours that cause problems within families and that create an imbalance. Sutphin et al. (2013:507) see divorce as a normative stressor that causes the family to move out of homeostasis and dysfunctionality takes place.

Both Walker (2012:15) and Johnson (2010:85) explain the components of the family system and their relationship to the entire system as being that the family structure is descriptive of the overall characteristics of the family. These characteristics include the nature of the membership, the culture of the unit and the ideological style. This means

that the interaction of the family is descriptive to their reception of the world they live in. Furthermore, the hub of the system is the family interaction and the process of the family members that are governed by the rules within the system. This means the way the members stick together, their adaptability and the communication style they have. The family needs and individual member's needs are met by the interaction within the hub. The output refers to the family functioning within the system. This simply means that all the resources available in the structure (input) are used to fulfil the members' needs by assembling their responses. In the end the family life cycle is found within the element of change into the family system. As the family develops and moves through the changes the family structure is changed to meet the individual and family needs. This means that the change is met in the way the family interacts.

Strong and Cohen (2017:52) explain that professionals working with families should always analyse the family dynamics carefully and keeping in mind that interactions must be seen in the context of the family and its uniqueness. Every family has a known structure that can only be seen during their interactions. Families are goal-oriented and that all family systems are transformed over time (Strong & Cohen, 2017:52).

3.3.2 Characteristics of the family as a system

Different researchers (Combrinck, 2014:66; Eddy, 2014:3; Garris-Christian, 2006:2; Johnson, 2015:89; Sutphin et al., 2013:508; Thompson, 2013:15; Walker, 2012:25) identified and described six characteristics of the family as a system that are especially relevant for mental health professionals who work with high-conflict separating and/or divorcing families. It is understood that each of these characteristics lie on a continuum. While few families fall on the extreme end of a continuum, they do tend to be more one side. Sutphin et al. (2013:508) defined the following terms as part of the Family Systems Theory:

Table 3.1: Terms of the Family Systems Theory

Term	Definition
System	A group of collaborating and attached people that function individually to form a complex whole
Boundaries	Presents what is inside or outside of a system
Family	A system that has (1) two or more interacting individuals, (2) related to each other as a unit to promote well-being, (3) identify themselves as a family
Pattern	The identification of a continual event by an observer
Norm	Indirect or direct guidelines for behaviour
Relationship	A norm-based order of interaction
Subsystem	A system in a substantial system that has its own boundaries and norms
Internal boundaries	Describe the boundaries of a subsystem within a system
External boundaries	Describe the boundaries of a system to the larger social system
Emotional boundaries	Describe appropriate behaviour between two or more family members, including their attachment and characteristics
Enmeshment	Absence of emotional boundaries
Disengagement	Fixed emotional boundaries between family members
Hierarchical	Any ranking of individuals within a system
Homeostasis	When there is an equilibrium between the levels of disconnection and enmeshment
Morphogenesis	Change in a system
Morphostasis	No change in a system
Feedback loop	A path that regulates behaviour among family members by communication and effective information processing
Suprasystem	Environment of relationships within which a system is set

The following Family Systems Theory characteristics are discussed below:

3.3.2.1   Boundaries

Boundaries relate to the limitations, togetherness and separateness in a family system. Garris-Christian (2006:2) explains that a family system can either be open or closed. A closed system is self-contained with watertight boundaries and these families operate without interactions outside the family. The closed system is mostly resistant to change and most vulnerable to disorder (Eddy, 2014:8). The reality is that the more closed a family system is, the more difficult it is for professionals to interact or communicate with them as

they are more resistant and uncooperative during parental divorce. These families seldom accommodate each other, and negotiations are difficult. Positive buy-in with regards to the content of the parenting plan is rarely obtained and these families thrive on conflict.

An open system is more approachable, and they have permeable boundaries that allow interaction between the family and outside (Combrinck, 2014:62). The more open a system is, the more accessible the family will be for intervention. This will mean the drafting of a parenting plan can be more effective and communication will be more positive.

Garris-Christian (2006:2) states that separating/divorcing families can be characterised by the display of disengaged and trapped boundaries. Emotionally detached families are characterised by family members that are open to new people, information and ideas. These family members are independent and can make decisions on their own. They value separateness and autonomy over a sense of belonging. An individual's identity is strongly motivated and respected by all family members. On the other hand, the families with more closed and restrictive boundaries are more rigid. The family members highlight togetherness, belonging, and emotional connectedness and strictly conform to that. All behaviours are a reflection on the family and not just the individuals. An individual's identity is thus not separated from the family unit.

Families may change between the two types of boundaries at any given moment, depending of their circumstances and different risk factors (Garris-Christian, 2006:2). These factors include the age of their children, change in their economic status and their overall development. Once the families are under stress due to disengagement, change in culture or values may be present and this may lead to problems with mental issues or health problems. Families often change from one type of boundary to another, due to these risk factors that cause stress.

Other researchers (Combrinck, 2014:73; Eddy, 2014:7; Walker, 2012:42) differentiate between internal and external boundaries:

- **Internal boundaries**

Internal boundaries within the families are created by the different subsystems within. Subsystems refer to different relationships within the family and can be members of the same age group as children, they can be of the same sex or individuals with the same interests. Walker (2012:43) and Combrinck (2014:74) maintain these subsystems develop their own rules and interact with each other while Sutphin (2013:508) explains that these subsystems create their own boundaries in the family. Parents, forming their own subsystem, might have the authority over the sibling subsystem. The parents interact regularly and informally. When the subsystem's rules are not clear, or their roles become confusing, the feeling of not supporting the family unit at large might be at risk. Combrinck (2014:74) purports families can be successful if their different subsystems have clear structure and can be flexible towards the other individuals. The family members should feel secure if their emotional needs are met in the family unit.

- **External boundaries**

External boundaries refer to the invisible line that divides the inside of the family from the outside world. Walker (2012:42) explains that the outside boundary places the family in context with the schools, church, other families and community. These boundaries are clearly perceived by observing the family in their natural space. The family might have their property protected with high fences or electrical wires; it depends on how accessible the family wants to be towards the outside (Combrinck, 2014:65).

After discussing the nature of boundaries, the researcher identifies the following as some of the characteristics of the diverse types of boundaries. Eddy (2014:9-10) identified the following types of boundaries in families:

Table 3.2: Types of boundaries in families as systems

Closed type boundaries	Open type boundaries	Moderate type boundaries
Controlled access to family space and strangers not allowed.	Access between family and friends is done with ease.	Access is easy and contact with outside freely done.
Linkages with outside members are controlled by rules and strict authority.	Little privacy and space is not regulated.	Numerous and strong relationships with groups outside the family.
Have few connections with people outside, but stable.	Individual linkages are formed with environment.	Communication, ideas and opinions are open; conflict limited.
Privacy/secrecy is of immense value.	Spontaneity before planning.	Well-defined, but flexible rules.
Roles/rules are rigid.	Positive energy flow from the family.	
Communication is regulated, with limited conflict.	Decisions are unambiguous and rules continuous.	Growth is encouraged and intimacy adaptive.
Loyalty/discipline/traditions of high importance.	Uniqueness is an immense value.	Limited uniqueness.
Controlled affection.	Affection is not consistent.	Closeness is balanced with regulating energy flow.
Change and differences not a high priority.	Change is not encouraged as family divide.	Changes are stressful, but families adapt.

3.3.2.2 Roles

Families organise themselves in terms of the roles everyone must fulfil. Roles in the family refer to who cares for the children, who takes responsibility for work in and around the house, who makes decisions and who handles the money (Eddy, 2014:11; Walker, 2012:21). The mentioned researchers are also of the opinion that for families to function properly there must be clarity and agreement about the distinct roles. They also add that these roles do not have to be set and limited to be successful; it can be changed easily. Role organisation and expectations in any family are influenced by many factors - culture, ethnic background, experience in the family in which one grew up, lifestyle, and family

size and composition. It is possible, for example, to find a child fulfilling parental responsibilities in certain families.

From a Family Systems Theory view, all family members have distinct roles to play and those roles guide them (Combrinck, 2014:75; Kail & Cavanaugh, 2014:14; Sutphin, McDonough & Schrenkel, 2013:509; Walker, 2012:47). Once family members follow their rules they will be able to respond to each other and strengthen their boundaries of the system. When this happens, they form new patterns from which individual member's behaviour starts to be more predictable. For this reason, the Family Systems Theory defines families to be interconnected and interdependent with the reality that if movement arises in one part of the system it leads to movement in all parts of the system.

Combrinck (2014:66) states that although divorcing/separating couples normally recognise the financial and practical problems they are faced with after the split, no one pays attention to the role changes that also take place. The individual roles in the family unit has specific behavioural projections that every individual must fulfil.

3.3.2.3   Rules

Rules are standards, laws and traditions that give direction on how people should live in relation to each other. Eddy (2014:9) explains that rules can be spoken or unspoken, but it highly relies on culture within the system. It is important to state that all rules or patterns in interaction have consequences, therefore rules and relationship patterns are important for this study. As a professional working with separating/divorcing families it is of the essence to understand the family patterns that guide their interaction. Understanding these rules may inform the professional on the specific approach needed for negotiation and entry into the family system when drafting a parenting plan.

Family members form their own rules about communicating to each other or even people outside their system. Sutphin et al. (2013:509) state that rules direct the family members on decisions, how problems are solved and how individuals should react in their feelings

and behaviour. They explain that rules are monotonous, foreseeable and mostly stable. Rules in the family unit ensure stability, togetherness and their own identity. Rules should be openly recognised, and all family members should know how they can be changed. Strong and Cohen (2017:52) conclude that serious problems are created in families if individuals are stressed when talking about rules or if they get anxious when rules need to be changed.

3.3.2.4   Hierarchy

Combrinck (2014:67) defines hierarchy as a characteristic that is normally involved in the process of making decisions, taking control and the overall power in the family. In most families, the parental sub-system controls the power and it can either be both parents at once or in a sequence. Eddy (2014:11) highlights that hierarchy is often determined by gender, age, religion, culture and economic status and that it is very important to take note of the influence that extended family has in terms of the hierarchy, as this might be significant in understanding the family's behaviour and daily routine. Every time the family composition changes, a shift takes place within the family system hierarchy. It is during this time that professionals working with these families might encounter power struggles and conflict. Sutphin et al. (2013:510) mention the most important fact about power in the family unit should be the organised manner of distribution.

3.3.2.5   Climate

Walker (2012:43) identifies climate as the emotional and physical environment to which the child is exposed to. The culture, economic status or educational level of the family does not cause the emotional quality of the environment to be positive or negative. The climate of a separating and divorcing family highly affects both children and parents as all the changes in the family disturb the balance and the internal climate changes. Professionals working with these families should be alert to the emotional and physical environment in which they function. If the climate is correctly assessed the process of mediation and drafting of a parenting plan will be easier on everyone involved.

3.3.2.6 Equilibrium

Equilibrium refers to the permanency of a system (Strong & Cohen, 2017:52) also referred to as homeostasis. Change together with the inconsistency in divorcing families normally creates disorientation and disappointment for the members including the children. Consistency in separating or divorcing families can be difficult to keep, but it is important for the children as this gives them a sense of security and trust. The only concrete way to maintain the equilibrium in these families will be to maintain all family rituals and customs, especially during these stressful times. Sutphin et al. (2013:511) explain that the balance in the family ensures the members know what to expect; it makes them feel secure. All forms of changes, whether negative or positive, influence the balance (Kunz, 2013:17). A life event like a divorce tend to be perceived as negative change and causes a disequilibrium in the family system. Most often the family members will change their behaviour to ensure or try to establish a state of equilibrium.

3.3.2.7 First-order and second-order cybernetics

First-order cybernetics are the information loops and homeostatic mechanisms that emerge within a system, but which can clearly be seen from outside the system (Combrinck 2014:68). This can also be the way in which the system is perceived from outside. Combrinck (2014:68) refers to second-order cybernetics as an observation from a professional on what happens inside and threatens the family unit; it is not from an outside perspective but from the inside. The researcher regards these aspects as important when drafting a parenting plan, as several individuals of the same system (with their own beliefs) are involved during this process.

3.3.2.8 Information processing

Information processing is the assembling, separation, structuring, saving and the recovering of information between the family system and a larger system (Combrinck,

2014:67-68). If the exchange of information between a family and the outside world is free it would reduce doubt and disorder within the family system. When drafting a parenting plan with separated or divorcing families, the response and feedback of the family will give direction to the entire process. If the family is open in their communication the process can run smooth and the order within is not disturbed.

Hooper (2007:230) states that a final characteristic of the family system is communication, as it is impossible for family members not to communicate with each other. All individual behaviour is communicated and that includes even silence. All the family roles, rules and family activities are given by communication; it is what their relationships is defined by. Hooper (2007:230) explains that there are different workable and effective ways of communication in families, as communication can be open or closed.

It is only within a family system view that professionals working with separated and divorcing families can be sensitive to the impact on all family members and that it should be seen holistically affecting the whole family. The family system will assist in understanding the family functioning and how they relate to these changes in the system. Furthermore, it would assist professionals in assessing the ways in which conflict is managed in the family and how it affects the children; it is important to look at the larger context of the conflict and the way in which the larger system (extended family, friends, support groups and attorneys) encourage this conflict.

3.4   DIVORCE AND THE ECOLOGICAL SYSTEMS THEORY

The psychological implications of divorce and the adjustment to living life afterwards can be related to Bronfenbrenner's Ecological Systems Theory. Bronfenbrenner developed the ecological theory to explain how everything in a child and the child's environment affects how a child grows and develops. He labelled various aspects or levels of the environment that influence children's development, including the microsystem, the mesosystem, the exosystem, and the macro system.

Bronfenbrenner's theory is based on the developing human and environmental interaction (Benokraitis, 2015; Berk, 2011; Kunz, 2011). These interactions are bi-directional, meaning the environment affects the person and the person affects the environment. Berk (2011:25) explains that the Ecological Systems Theory views the child as developing within a complex system or relationship affected by multiple levels of surrounding environment. Hoffman and Kruczek (2011:3) explain that Bronfenbrenner originally created a model of human development where the interactions of the nested systems affect all individuals within the system. They refer to these nested systems as an interaction and response with the social context that influence the individual. In this theory, Bronfenbrenner explained the life transitions and the life course as chronosystems. In his model he explained the life transformations and the life directions as chronosystems and there is an added focus on biomedical factors such as temperament and emotional reactivity (Hoffman & Kruczek, 2011:4).

Divorce composes a potentially catastrophic and overwhelming reality in societies. The Ecological Systems Theory proposes the way in which a child's development is affected when the separated and divorcing families try to restructure the family. The children's development now accrues within two micro (different) family systems. The reality is that divorce changes the family system and its functioning, but also severely affects the relationship between families and environments.

Berk (2011:26) explains that Bronfenbrenner splits the systems into four different sections, with each system influencing the other. The Microsystem – immediate environment; The Mesosystem – the connection between the individual microsystems; The Exosystem – systems that do not contain the person but affects them; The Macrosystem – the cultural settings that influence a person's behaviour (Kulik & Rayyan, 2006:460; Benokraitis, 2015:35). Bowes and Grace (2009:10) are of the opinion changes or problems in any one of the systems can cause changes in the others. Parental divorce may affect all the layers. Divorce changes the systems of all involved.

Bronfenbrenner's Ecological Systems Theory considers all the effects that both distant and immediate contexts have on a child's development and growth. It is evident that the model is structured in layers, whereby each layer has its own influence on a child (Strong & Cohen, 2017:40-41). However, it is evident that although each layer can affect a child solely they are still integrated and ultimately affect a child's development/ growth.

Figure 3.2: Ecological Systemic Theory of Bronfenbrenner
(Adapted from Bowes & Grace, 2009:9-10)
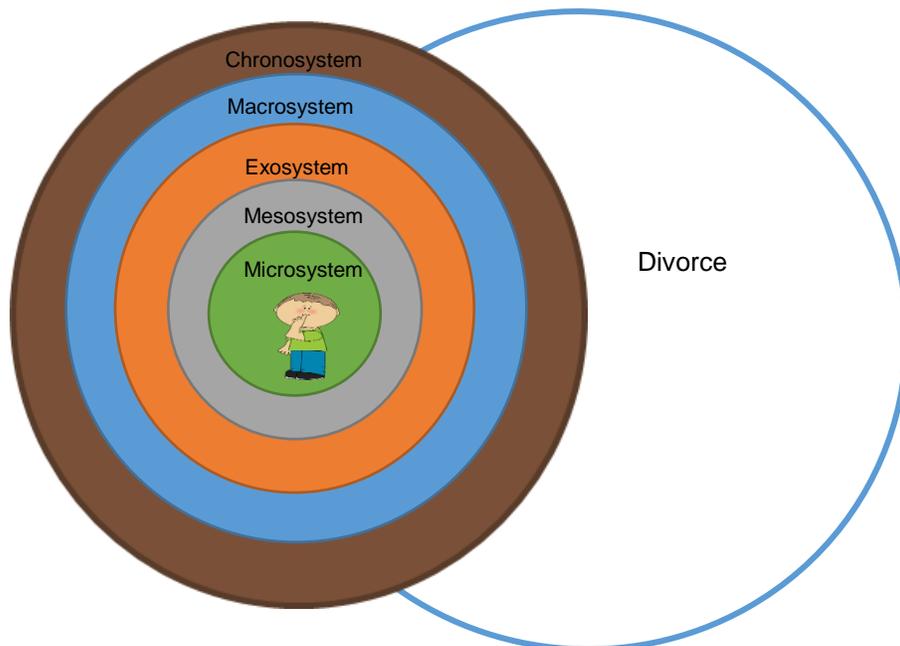
At the centre of the circle is a child who is influenced by each of the five levels daily. A couple of variables affect the child when families divorce. The child has two homes and both parents involved in raising him/her. Every child is unique, and the impact of divorce is experienced differently, so are the changes in the child's life. The image above (Benokraitis, 2015:35) explains the Ecological Systems Theory of Bronfenbrenner. The child, in the middle, is an individual that is influenced by all five levels. It should be noted that every child is a unique individual and his/her ecological model should be treated as unique and the variables should be evaluated with that in mind. The environment is not the only impact on the child's development, but the fact that the child is unique is a process that should be kept in mind. Every child is an individual in his/her own right, with an own

temperament, learning style and living capacity.

Researchers (Benokraitis, 2015:35; Berk, 2011:26; Hoffman & Kruczek, 2011:5) state that the child's daily life and operations are directly and instantly influenced by the conduct, roles, and relationships of the microsystems. The core of the microsystems is family, friends, neighbourhood, religious groups, peer groups, day care, school and work environments. The child in the centre, is influenced by the interactions of the individuals and organisations in the system. The child grows and develops under supported and cared interactions that give him or her security.

The **microsystem** refers to all the settings in which the child personally interacts or the settings that may influence the child (Berk, 2011:26). These settings refer to their homes, their fathers and mothers, interaction at daycare or school, the influence of peers and their teachers. Berk (2007:34) explains that the microsystem changes the moment when a parent leaves the family home and moves to a new house. These changes are for both the parent and the child, as it changes whom they interact with and where they do it. According to Berk (2011:26), this can also bring change if the children move schools due to divorce.

When families are split into two family systems, the child becomes a full member of both micro family systems and this becomes a unique situation for the child as he/she needs to interact with both family systems. The two systems also affect one another and the child differently (Ebersohn & Bouwer, 2013:639). The researcher sees the microsystem as the system in which the individual lives and have direct contact with. The family is a crucial microsystem which is hugely affected by parental divorce.

The next level represents the **mesosystem**, which is the relationship between all significant systems in the child's life (Berk, 2011:128; Benokraitis, 2015:35). During parental divorce the child's parents ought to work together to put him/her first to create a smooth transition between the two homes in the mesosystem. *Mesosystems* are important in a child's life and mostly have a positive influence. *Mesosystems* can also cause stress

for the child. During divorce the parents sometimes put their children in the middle of their conflict and fights; this causes stress for the children involved. The two microsystems (houses) are apart and then place the child in the middle to choose between their mother/father. The choices that the children should make between the two people they love the most, cause stress for them. The next layer is the mesosystem and it represents the relationship between the various parts of the microsystems and their interaction towards the child (Berk, 2011:25). Ebersohn and Bouwer (2013:640) explain that divorce influence the child's development and functioning due to step-parents getting involved into conflicting opinions of discipline. This can, from both subsystems, have a negative influence on the child due to the mixed messages the child receives.

The next circle represents the ***exosystem*** (Berk, 2011:27) which includes the environmental settings that indirectly affect the child. When parents get divorced, one parent often moves or sometimes, due to financial implications, both need to relocate. Neighbours and the social environment that the child was used to now suddenly change. The friends from next-door no longer visits and often children need to attend new schools or aftercare. These changes have an enormous influence on the child in the middle childhood developmental stage, as friends and school are very important to them. Ebersohn and Bouwer (2013:641) and Benokraitis (2015:35) define the exosystem as the largest social system in which the child does not function directly. They explain that the exosystem forms a connection between two or more settings. This means that the child might not be directly involved, but the effect (positive/negative) is felt by the child. The exosystem involves parents, communities, extended families, neighbours, jobs and legal services. When parents get separated or divorced the impact is huge on the exosystem, as parents might now be sole parents with financial difficulties. More stress is placed on the family as the mother might increase working hours and this influences the child's development. The mother may start to spend less time with the children and this influences all individuals. Once the father leaves the home, the relationship between parent and child is also influenced, due to the absence of a parent.

The following system is the ***macrosystem***, which is the culture and laws that influences the child, such as the Children's Act, 2005 (Act No. 38 of 2005). Beliefs, customs, laws and the resources used in communities are all parts of the *macrosystem* (Berk, 2011:27; Schwartz & Scott, 2010:309). During parental divorce, the child needs to adapt to different homes with changing cultures, values, customs and discipline. Often the fathers tend not to have the same strict discipline, as their contact with their children is less. Routine and customs might also be slightly different, due to limited periods of time together. The macrosystem reflects the culture that the child lives in (Benokraitis, 2015:35). Benokraitis (2015:35) states that this influence can be negative and positive.

The ***chronosystem*** (the prefix chrono means "time") that Berk (2011:27) and Benokraitis (2015:35) refer to includes environmental events and changes over time. The chronosystem is made up by all the environmental changes that occur from changes made during divorce. Divorce is one of the biggest life changing events that children have no say in and results in many changes. These changes often have enormous impact on the children's lives. The transition between two houses and environments affects children throughout their childhood phases. The chronosystem includes all the environmental events and transitions over the life course (Benokraitis, 2015:35). Today's environment is highly affected by parental divorce, which influence a child's development. All external situations such as death, moving, divorce affect the child. When parents' divorce, children need to emotionally cope with losing one parent and adapt to an unfamiliar environment and the changes.

Hoffman and Kruczek (2011:4) state that the child's family experience often corresponds to the school environment and experience. The new two subsystems of families create confusion and negative attitudes for the children. In the researcher's experience, children often start to remove themselves from their peers due to their uncertain family environment. When families separate or divorce, the children need to reorganize themselves in two different households, which cause huge stress for the children. When two microsystems come together the child is automatically placed in the middle of these systems where they should play two distinct roles at once. A child of divorce might feel

obliged to conform to both two subsystems and this can be exhausting for them.

3.5   CONCLUSION

In this chapter the researcher discussed the Family Systems Theory and the Ecological Systems Theory as theories in studying the changes that take place in families during divorce. Both these theories recognise the importance of near and distant environments on the ways family members function and relate to one another. Both recognise that relationships and behaviours are complex during the process of restructuring after divorce. Both the theories acknowledge the fact that the individuals are related to one another and change in one affects all. During this chapter the researcher made use of both Ecological Systems Theory and Family Systems Theory in understanding a family's rules, boundaries, transactional systems and strategies for dealing with the tension and conflict of divorce.

The researcher is of the opinion the best possible world for a child affected by parental divorce is when both parents, in a good-natured way be involved in their world in a non-hostile way. A change in the family through divorce can create disequilibrium, which often manifests itself in emotional turmoil and stress – but if parents handle this change with a co-operative style, the equilibrium can be regained. Divorce affects all systems involved.

CHAPTER 4
PARENTING PLANS AND CO-PARENTING

4.1   INTRODUCTION

Regarding parenting after divorce and based on clinical and empirical studies in recent years, for most children, traditional visiting arrangements are outdated, unnecessarily restrictive, and do not meet the interests of the children themselves. There are many advantages for children in divorce situations where the children's living arrangements allow both caring parents to be actively involved in the life of their children, where there are broad visiting arrangements or even shared custody arrangements and interactions that do not cause psychological problems. Sara (2011:305) and Haimi and Lerner (2016:1) state that despite the negative or positive impact of parental divorce, empirical studies have proven that there are risk and protective factors occurring during the process of parental divorce. These researchers determine risk factors to be: possible introduction of new partners, not being clear about the explanations for the divorce and the lack of social or domestic support after the change in family circumstances. Sara (2011:35) and Haimi and Lerner (2016:1) mention that preserving relationships with both parents, stability in post-divorce support, good relationships between the individual family members and the siblings are protective factors during parental divorce.

The reality of parental divorce will never disappear from our societies, but Haimi and Lerner (2016:1) purport that the changes in visiting and living arrangements for children in South Africa might. The advantages for children in divorce situations where their living arrangements allow both parents to be involved in their life and where there are more accessible visiting arrangements and shared custody will lessen the trauma for divorced children.

The South African judicial system has contributed meaningfully to the improving, promoting and protecting of children's rights to processing children's issues (Situational Analysis of Children in South Africa, 2009). There has been a significant movement from

awarding sole custody to shared parenting regarding issues related to the residency of minor children and parents' contact with their children. Although the Children's Act 38 of 2005 makes provision for better transitions and for minimising the emotional/psychological impact of divorce, some parents still decide not to draft a parenting plan. Robinson (2009:79) explains that most parents find a parenting plan useful, as it regulates contact with each other and sets out the separate roles of each parent. Communication with an ex-spouse is restricted and the parents can focus on the wellbeing of their children. According to Advocate Marie Fourie (2012:9), the Children's Act 38 of 2005 has transformed the parent-child relationship and regulating thereof in terms of the South African law. Not only has the promulgation of the Act marked the final shift from that of parental authority or parental power to that of children's rights and parental responsibility but it has also included the rights of unmarried fathers. The Act has also introduced the principle of compiling parenting plans to assist divorced or separating parents in a unique manner to address a transitional period in a relatively safe and secure way.

In drafting parenting plans during the intervention process with divorcing families, both parents and professionals tend to lose sight of the purpose of a parenting plan – that the best interests of the child are of paramount importance and that a parenting plan should be child centred and not parent-centred (Robinson et al., 2011:223).

4.2   PURPOSE OF A PARENTING PLAN

A parenting plan is a written agreement between separating and divorcing parents, maintaining the child's best interests as the primary goal. The interest of a child is upheld when parents can work together, cooperate in all instances of their children's lives and be involved as parents without harmful conflict (Robinson, 2009:82). It includes reasonable consistent routines, and discipline and structure need to be promoted in both homes by both parents. Both parents need to continue with their lives and take full responsibility for the children during their access time. They should not rely on support of the alternate parent. This plan is intended to resolve issues of parental responsibilities and related matters.

When one considers parenting plans, researchers agree that parents should bear in mind that there is no perfect model and that families should compile a plan which is suitable for their circumstances (Robinson, 2009:37; Strous, 2008:223). Kelly (2005:238) and Kushner (2009:330) add that parenting plans and co-parenting after divorce may only work when families want them to work. Both researchers mention a successful post-divorce family depends on the individuals in the family and their inter-relationships. Robinson (2009:37) mentions that judges or psychologists do not possess special wisdom or mysterious tests which would determine what is best for the children. She adds that parents know what is best for their children as a legal document does not raise children. Strous (2008:223) supports the ideas of Robinson by adding that parents need to make joint decisions regarding their children and if in disagreement both should try harder. Kushner (2009:330) is of the opinion parents need to be flexible, make compromises and keep their children in mind when creating a parenting plan. He adds that parents should always be aware that it is about responsibility and not about rights.

Robinson (2009:38) adds that when drafting a parenting plan, the time spent with children is of the utmost importance and all arrangements should consider this. A parenting plan can be altered as the children grow older or as circumstances change. The above researchers (Kelly, 2005:238; Kushner, 2009:330; Robinson, 2009:37; Strous, 2008:223) add that different schedules should make provision for children of different ages and that the children's developmental phases should be kept in mind. Age, personality type, activities and needs of the child must be kept in mind when drafting a schedule. Kelly (2005:238) adds that the parent's divorcing style is also an important concept to keep in mind, as the child's well-being is of utmost importance.

It is evident that the underlying principles of a parenting plan should be to honour and protect the rights of children and to act in their best interests. Duchen and Schutte (2008:9), Preller (2013:37) and Robinson (2009:64) argue that children pay the price for their parents not having well-developed, good parenting plans. These researchers purport that without a parenting plan, children lose time spent with parents. Children may miss out

on time with friends and co-curricular activities. Timely or adequate medical care might not be received. Important psychological care is absent. Children may lose touch with significant others. Children may become frustrated and feel sad, disappointed and angry and rejected. Overall, these children will resent their parents for putting them in the middle of parental disagreements or for breaking the family unit.

A parenting plan will cover issues such as a general agreement in respect of communication, education, medical, extra-mural activities, religion, transport arrangements from one household to the other, new partners and any other issues that parents view as essential (Duchen & Dennill, 2005:11).

The most important purpose of a parenting plan after divorce is to protect children from parental conflict, to give them the opportunity to have both parents involved in their lives and to develop securely as children.

Bearing in mind the information above, the researcher will provide a brief discussion on the legal instruments involved in drafting a parenting plan.

4.3   LEGAL INSTRUMENTS IN STRUCTURING PARENTING PLANS

The drafting of parenting plans is a comparatively new concept in South Africa, although it is common in countries such as the United States and Australia. The Children's Act 38 of 2005 proposes parenting plans as a way of helping parents determine how to exercise their parental responsibilities and rights after divorce. Strous (2007:223) refers to the golden thread that runs through the fabric of South African law when decisions about children's needs are to be made and claims that paramount to this is that the best interests of children is dominant. Robinson et al. (2011:223) add that there are relevant international and regional laws that need to be recognised during the intervention process with divorcing families. Strous (2007:223) explains that in considering the best interests of the child in post-divorce families, South African courts consider a large number of factors appearing in the Constitution, the United Nations Convention of the Rights of the Child

(UNCRC), the African Charter on the Rights and Welfare of the Child (ACRWC), judgement in the South African case of McCall versus McCall (1994) and South Africa's Children's Act 38 of 2005.

4.2.1 Section 28 of the Constitution (1996)

Section 28 of the Constitution (1996), which deals with children's rights and which contains the Bill of Rights, clearly states that the best interests of the child is of paramount importance in every matter concerning the child (Strous, 2007:223). Robinson et al. (2011:224) are of the opinion the most important part of Section 28 is subsections 1(b) and (2). These researchers (Robinson et al., 2007:224) state that the first section deals with family and parental care and that each child has the right to parental care or alternatively to care which mostly reflects that of their parents. Secondly, they state that the child-centred approach is most important as it has the child's best interests at heart.

Robinson (2010:1) emphasises that the above is not as easy when working with divorcing families, as divorce is an emotional process. A child-centred approach is frequently overshadowed by the parents' belief that their children are not being heard (Robinson et al., 2011:224). These researchers further add that parents frequently insist on being the focus in the intervention process and that they refuse to allow the professionals access to consult with the child.

In light of the Constitution, Section 28, Carter et al. (2010:1) offer several guiding values for drafting child-centred parenting plans for professionals working with divorcing families. These researchers are of the opinion Parenting Plans should support relationships, minimize loss and that multiple parenting plans can address the unique needs of children during their changing developmental needs. The children's developmental needs and their stability should be supported in the placement and parents should be the first choice in placement. The older child has unique needs like peer interaction, continuous parental relationships and communication with extended family members, all of which must be clearly stated in the parenting plan (Carter et al., 2010:1). Parents should be tolerant in

the access towards the other parent and the child should spend time with the mother on her birthday/Mother's Day and then with the father on his birthday/Father's Day. Carter et al. (2010:1) are of the opinion co-parenting should be the ultimate role of parents and both parents should have one-on-one contact with their children. Lastly these researchers recommend all terminology should be clearly defined as this would minimize any uncertainty of access, responsibility or needs.

Robinson et al. (2011:227) identified four points from the Children's Act 38 of 2005 that should be adhered to when drafting a parenting plan: parental care is a child's right, children should be protected, children should have access to legal representation and the child's best interests should be of paramount importance.

4.2.2 United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child in Article 5 (1990:4) addresses the child's rights as to what should be considered when drafting a parenting plan. The most important commitments from the United Nations Convention on the Rights of Children which are clearly stated in the South African Constitution are: 1) that a child's best interests and welfare should be promoted and 2) that the child should have the right to express his/her view of any matter affecting his or her interest.

When parenting plans are drafted, the child's wishes, and best interests are easily overlooked (Robinson et al., 2011:228). When professionals work with divorcing families and when parenting plans are being drafted there are certain aspects that must be used as guidelines. These guidelines, obtained from the United Nations Convention on the Rights of the Child (UNCRC), will give direction and recommendations to the intervention with divorcing families (Robinson et al., 2011:228):

i. The protection of the child is very important.

ii. Personal relationship and direct contact with both parents is a must, except in exceptional cases.

iii. Children and parents should not be separated, unless in unusual circumstances.

iv.   The best interests of the child is of paramount importance and parents should adhere to that.

v.   A child should have a voice and it should be adhered to during legislation.

vi.   If capable, children should be able to express their feelings.

vii.   Children's development and their standard of living should promote their well-being.

viii.   When relocating, contact and access with the alternative parent should be regular.

ix.   Children should be protected against abuse, neglect, maltreatment and exploitation.

x.   Caretaking and protection should be of the highest standard.

xi.   The upbringing and development of children are the responsibility of both parents.

xii.   Direction and guidance of children should be dealt with by both parents.

xiii.   Parental rights, responsibilities and duties are most important.

xiv.   Intervention should involve all individuals.

Not only does the United Nations Convention on the Rights of the Child (UNCRC) protect the child but so does the African Charter on the Rights and Welfare of the Child.

4.2.3 The African Charter on the Rights and Welfare of the Child

The African Charter on the Rights and Welfare of the Child plays a key role in protecting the rights of children in the African context (1990:4). Robinson et al. (2011:230) add to this concept highlighting that when a parenting plan is drafted, it is of paramount importance to focus on the child. The figure below emphasises the aspects to consider in drafting a parenting plan in the African context.

Figure 4.1: Aspects to consider when drafting a parenting plan in an African context (Robinson, Stewart, Ryke & Wessels, 2011:233)

When compiling a parenting plan, bearing in mind the previous mentioned legal instrument, it is important to address the duties, rights and responsibilities of parents clearly. The way the parents will guide and direct their children should be added, taking cognisance of the child's development and age. The most important aspect should be the best interests of the child; therefore, it should be a child-centred parenting plan.

4.2.4 The Children's Act

Robinson et al. (2011:234) note that two sections of the Children's Act 38 of 2005 are most important when drafting a parenting plan, namely section 7 explaining the best interests of the child standard and section 33 and 34 containing the formalities. These researchers underline that every family is unique, and that children's needs may differ.

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Strous (2007:223) and Robinson et al. (2011:234) refer to the best interests of the child as the physical, economic, emotional, intellectual, cultural, spiritual, social, moral and religious well-being.

Section 7 which refers to the best interests of the child should be clearly determined by professionals when drafting a parenting plan. Robinson et al. (2011:235) and Strous (2008:221) use the criteria established by the case of McCall versus McCall (1994) when determining a child's best interests:

- The personal relationship between the child and his/her parents or any significant others should be evaluated, as well as the possibility of being compatible.
- Communication between the parent and the child, acknowledging the sensitivity of the child and guiding the child into developing optimally.
- The capacity and temperament of the parents to provide for the emotional, intellectual, educational, financial, religious and secular needs of the child.
- The desirability is to keep the child living with his/her parents or at least one of them, together with siblings. If the child's circumstance separates him/her from the family, siblings or grandparents, regular contact should take place to strengthen the natural bond.
- The child's needs and preferences should be heard by professionals and if needed legal representation should be available.
- The child's age, maturity, stage of development, gender, background, and psychological, cultural and environmental development should be of utmost importance and enhanced.
- Any disability or chronic illness should be kept in mind.
- The child's environment should be stable and if not possible, the alternative environment should resemble it as closely as possible.
- The child should be protected from any maltreatment be it physical, psychological or environmental.
- The child should be protected from family violence.
- The best interests of the child should guard him/her against further legal or administrative proceedings that could be harmful.

- The court should recognise any relevant factors that could implicate the child negatively.

Sections 33 and 34 of the Children's Act 38 of 2005 refer to the contents and formalities about the parenting plan. According to Robinson (2010:18), these sections namely Sections 33 and 34 of the Children's Act 38 of 2005, refer to the quality work delivered by the professionals and give clear guidance in completing parenting plans. Botha (2011:56) explains that parents should consult a family advocate, social worker, psychologist or mediator when drafting a parenting plan. A parenting plan may be drafted voluntarily or when parents conflict about their rights and responsibilities. The parents should first seek intervention before approaching the court. Combrinck (2014:42) explains that a parenting plan may determine any matter concerning the parental responsibilities and rights, including residence of the child, maintenance, contact structures, schooling and religion.

Furthermore, the parenting plan should conform to specific formalities as it must be in writing, it must be signed by all parties and it may be registered with a family advocate. Robinson et al. (2011:237) acknowledge the fact that when a parenting plan is registered with the court or made an order it should be accompanied by a copy of the plan in the prescribed format and a statement of the professional who prepared it. The parenting plan that was made an order, may only be amended or changed by an order from the court. Regarding the fact that parenting plans for divorcing families must be compiled before approaching the court, Combrinck (2014:43) argues these parenting plans should be appropriate, sound, well-developed and drafted by competent professionals.

The researcher agrees with the above when it is stated that parenting plans should focus on the child and not the parents.

4.4 ADVANTAGES OF A PARENTING PLAN

Shared care and well-drafted parenting plans give both parents the ability to be involved in childrearing and overall happy families. Botha (2011:11) and Combrinck (2014:37)

explain that a parenting plan gives structure to the continuous involvement of both parents in the lives of their children. If both parents and their children are involved in drafting a parenting plan it facilitates a collaborative approach to co-parenting and all parties know what is expected of them. Robinson (2009:42) is of the opinion a parenting plan limits parental conflict and all negative outcomes towards the children and that children adjust with more ease when they are not confronted with parental conflicts about their needs. Botha (2011:11) contends another advantage is that parents gain more insight into child development and their children's needs when professionals intervene and explain difficult concepts. Combrinck (2014:37) emphasises that co-parenting and clear communication with less conflict means that the children's needs are met, and that better parenting emerge. The above-mentioned researchers add that parenting plans give structure, direction and purpose to the new family in terms of both parents being involved in parenting and addressing their children's basic needs. All agree that the mediation process gives parents the ability to readjust from being a couple to functioning individually as parents.

Robinson (2009:42) and Combrinck (2014:38) add that the prescribed format of the parenting plan assures parents that they can make changes and that it is the first step towards collaborative co-parenting. These researchers state that the fact that the plan should be in writing and acts as a pledge for both parents to be actively involved in the child's life. Kelly (2005:238) claims that the parenting plan acts as a guide and starting point for conflict resolution and that the intervention process provides for therapeutic intervention and parental guidance.

Parenting plans have two goals, namely to foster children's relationships with both parents, unless there is a compelling reason not to do so; and to protect children from parental conflict. In high-conflict divorces a highly detailed and carefully structured parenting plan may assist parents in carrying out their responsibilities with minimal conflict (Birbaum & Fidler, 2005:340). This minimises the possibility of miscommunication and altercation. A well-developed parenting plan gives peace of mind to both parents and children. A parenting plan acts as a safety net for children and it protects all family

members and eliminates unnecessary stress. Parents can plan their visits with their children, as the schedule provides emotional safety and a definite routine. The most important fact is that the court is not involved with parenting disputes or with solving them.

Robinson et al. (2011:240) end by stating that to deliver effective parenting plans for the divorcing family, all individuals need to be actively involved in the intervention process, as only then can an efficient and realistic parenting plan for the unique family be developed.

4.5   ELEMENTS OF A SUCCESSFUL PARENTING PLAN

A parenting plan is as unique as the family members writing it and an ideal parenting plan will reflect the needs of all family members, especially the children's needs. A parenting plan should be child friendly and developed by all family members. All parenting plans are different, and the elements in the plan might include:

i.   A well-developed parenting plan will apply to all the key areas of a child's life, including health care, custody and residence, protection and the general welfare of the child (Robinson et al., 2011:227).

ii.   It outlines the rights and responsibilities of both parents towards the needs and best interests of the child (Strous, 2008:224).

iii.   The plan is a written agreement on transportation, support and guidance in all activities (Strous, 2008:224).

iv.   The responsibility of both parents for physical, mental and financial needs are clearly stated in a parenting plan (Robinson et al., 2011:237).

v.   The parenting plan addresses conflict resolution and guidance towards solutions (De Wit, Louw & Louw, 2014:117).

vi.   Parenting plans promote communication and sharing of information (Strous, 2008:223).

vii.   In the end a parenting plan is a written plan for future evaluations and to make informative changes when needed (Hartson, 2006:198).

Robinson (2009:82) mentions it is important to contract with both parents, so that they understand that they agree on all important matters related to their children. According to Robinson (2009:82) parents will take their responsibility and rights as serious and in the best interests of the children. Access will be the responsibility of both parents and both will allow the alternate parent to do so without interference. Robinson (2009:82) underlines the concept of the child's best interests, the understanding that contact will be regular, parents will cooperate in raising their child and both parents will be committed to what is good for their children's functioning during their access periods. Combrinck (2014:45) adds that reasonably consistent routine, discipline and structure need to be implemented during their respective access time. The parenting plan should be strictly adhered to and the alternate parents must not be contacted unnecessarily. Focus must remain on the children and not the ex-spouse to avoid any potential conflict. Robinson (2009:85) explains that it is beneficial to the children that parents follow the detailed parenting plan, which implements their rights and responsibilities in raising their children. Most parents feel uncomfortable specifying details and do not want to commit to a structure, therefore Botha (2011:2) explains that a detailed plan is necessary because parents do struggle to focus on the best interests of the children and may become overwhelmed by their own emotions and experiences. The parenting plan cannot provide for all situations and eventualities. The parenting plan should be updated as and when necessary. The changing circumstances and needs of the children should be considered. Parents must follow the specific procedure when changing the plan and must undertake not to do so unilaterally (Robinson, 2009:82-83).

A reasonable conclusion appears to be that a huge part of the success of parenting post-divorce can be directly linked to the thoroughness and preparation of the parenting plan. The above researchers have clearly identified that a parenting plan is as unique as every family and its members. Furthermore, these researchers suggest all aspects of the child's care should be clearly identified and divided between both parents. This division should be in writing and contain the activities, care, development, discipline, transitions and conflict resolution of the children in their daily lives.

4.6   CO-PARENTING

Parenting in general is challenging, even in a home where both parents function as a unit. The reality is that all children need both parents involved in their lives to become well-developed, secure and loved adults.

4.6.1   The nature of co-parenting

After parental divorce children do not need to bear the wounds of conflict or hostility. In the book *The Co-Parenting survival guide,* Thayer and Zimmerman (2001:236) describe co-parenting as the skill that both parents show when forming a co-parenting partnership based on love, respect, concern for their children and the ability to raise children together. According to them, what children need after divorce are two loving parents who avoid the common traps of hostility, inflexibility, constant fighting or bad mouthing each other and who would rather display a united supportive front.

Most research done on parenting after divorce indicates that children need both their parents involved in their lives (Amato & James, 2011:511; Brink, 2009:4; Bienenfield, 2002:95; Kaye, 2009:143; Kelly, 2005:238; Nielsen, 2011:590; Preller, 2013:185; Robb, 2010:15; Robinson, 2009:17; Thayer & Zimmerman, 2001:84). Children do not get divorced from parents; they need the same amount of time, love, support and discipline from their parents. Children need to be supported in challenging times, they need encouragement to learn and discover, they need to maintain routines with which they are familiar, they need firm and loving boundaries to feel safe, they need parents whom they can trust and most importantly parents who support each other. All children, whether in intact or separated families, need a safe haven and a secure emotional base which they can call home (McIntosh, Burke, Dour & Gridley, 2009:8).

The researcher sees co-parenting as the way in which both parents decide to fulfil their duties as parents towards their children after divorce. It is most important that both parents ensure that the original family structure operates effectively within the two homes. This

will ensure healthy and stable family systems after divorce, as each member of the family will have a significant role to play. They should always remember that their children need well-adjusted parents, in both households.

It is difficult to make the transition from being two parents, in one home, making decisions about the children, to co-parenting. Parents who decide to separate or divorce should realise that co-parenting is not something that happens instantly or naturally. Co-parenting takes a vast amount of demanding work, planning and frankness. Researchers (Brink, 2009:3; Duchen & Schutte, 2008:110; Gildenhuys, 2015:37; Preller, 2013:43; Robinson, 2009:82) emphasise that for co-parenting, planning is very important from the beginning. As parents may only agree to do what is in writing they should limit the talk about money to the minimum; meetings between parents should be formal and should be scheduled in advance and the discussions should not be on a personal level, but only pertain to parenting the children (Robinson, 2009:82). It is important for parents to remember that co-parenting does not happen immediately, but over time. Parents should work hard to communicate about their children and not about their own feelings and their relationship.

4.6.2 The benefits of co-parenting

The key to successful co-parenting is to focus on the children and their needs (Kelly, 2005:241). Children should never be placed in the middle of their biological parents' conflict and disagreement. The golden key to co-parenting is to protect children from parental discord and not make them feel guilty for the separation (Nielsen, 2011:593). Once parents master the ability to communicate and act around their children, the children restructure their lives with greater ease and develop a special relationship with their parents individually. In the long run children benefit from a successful co-parenting relationship.

Co-parenting has many advantages for all involved and children tend to feel more relaxed when both parents are involved in their lives. Hartson (2011:192) maintains children are more secure when both parents are given the opportunity to be involved in the child's life

and to co-parent. When children have the attention and love of both parents they adjust more easily to parental divorce, as they do not experience feelings of desertion. Warshak (2014:86) adds that children benefit from the consistency of their parents working together as a team. Children feel safe if the parents' rules, discipline and rewards are the same and they know what to expect and what is expected of them. Children become better problem solvers when their parents show them the way. The fact that both parents are still actively involved in their lives and form a natural team when decisions need to be made, encourage the children to solve their own problems in a peaceful and effective manner (Nielsen, 2011:587). This co-parenting way establishes life patterns children can follow. Co-parenting means that parents can focus on peaceful, consistent and purposeful communication with their divorced spouse. Robinson (2009:113) explains that if co-parents communicate regularly, they show their children that they are committed to their children's lives.

Ahrons (2004:174-186, 1994:52-59, 1989:114-120) and Combrinck (2014) recognise parents should manage their parenting post-divorce and mention the following categories of co-parenting:
   i. Co-operative Colleagues – these couples keep their conflict away from their children and handle it in a productive way. Combrinck (2014:26) states that the main characteristic of these parents is that they separate their responsibilities as parents from their own resentment.
   ii. Perfect Pals – these couples remain friends after divorce with a non-personal relationship. These parents have a good relationship with each other (Ahrons, 2011:1). They function as a unit in all matters concerning the children.
   iii. Angry Associates – these couples battle to keep their relationship civil and they involve the family in their conflict. They do not have the ability to separate their parental responsibilities from their anger (Combrinck, 2014:27).
   iv. Fiery Foes – these couples are the classical evidence of a bad divorce. The ex-spouses' conflict makes it unbearable for all. Family members involved within these families feel threatened and conflict remains uppermost in their thoughts. Ahrons (2011:2) explains that these couples involve their children in their battles and

revenge is their top priority, therefore these children are emotionally damaged, and their parents' divorce is traumatic for them.

v. Dissolved Duos – these couples end their relationship the moment their marriage ends. According to Combrinck (2014:27) this co-operation is one where all contact is ended once the marriage ends and in the end the children need to adapt to parental loss.

Despite the fact that research shows that co-parenting, the post-divorce relationship of parents and how well the children are protected during divorce are all projective factors for a successful parental divorce, reality shows that only 25% to 30% of parents make use of a co-parenting system, characterised by joint decision making, flexibility, good communication and regular visits (McIntosh, Burke, Dour & Gridley, 2009:11).

The Children's Act 38 of 2005 and the Constitution of South Africa stipulate clearly that when any decisions about a child's needs must be made; whether about their care, protection or well-being; the standard of being in the best interests of the child needs to be of paramount importance. Most researchers (Brink, 2009:3; Duchen & Schutte, 2008:39; Robinson et al., 2011:224; Robinson 2009:67; Strouse, 2011:234) agree to the "best interests of the child" principle when making useful and necessary evaluations about the circumstances for creating effective and safe post-divorce life arrangements for all children. Unfortunately, there is huge disagreement when professionals talk about the "best interests of the child" and individual perceptions make this difficult. When drafting visitation rights and age-appropriate parenting plans, traditional viewpoints and changing perceptions compete (Strouse, 2011:234).

The following points are important when the term "the child's best interests" are at heart. It is important to consider the child's age and developmental stage (Kunz, 2013:247). Recognition needs to be given to any special needs and wishes of the child; the child's relationship with each parent, siblings, grandparents and other extended family is also of high importance; special attention needs to be paid to the parent's parenting abilities and previous care arrangements; the parent's ability to co-operate and communicate

when parenting issues accrue; any cultural, linguistic and religious beliefs in the child's upbringing and the child's safety.

Botha (2011:37), Brink (2009:5), Duchen & Schutte (2008:116), Kushner (2009:334), Preller (2013:41), Robb (2010:16), Robinson (2010:163) and Sanders (2007:68) agree that schedules are the most important aspects of a parenting plan, as it gives direction to post-divorce life. To avoid any parental conflict, it is of importance to create detailed, strict and workable parent time schedules. Parent time schedules should be developmentally appropriate and will change during the child's life. In general, there are four major stages of child development: infant and toddler (ages zero to three); preschool (ages three to five); elementary age (ages six to ten) and pre-adolescence/adolescent (ages eleven to eighteen). Various developmental theories speak differently about the detailed function of each stage but there is consensus regarding the basic important task of each of these stages (Sanders, 2007:68).

4.7   DEVELOPMENTAL CONSIDERATIONS FOR PARENTING PLANS

Children are very different and have individual needs, depending on their relationship with their parents, their siblings, their maturity and their extended family, friends, cultural background and community. Robinson (2009:118) and Preller (2013:43), as practising professionals in parenting plans, are of the opinion age-appropriate contact arrangements are important.

As a practicing social worker in private practice, the researcher experienced that the most conflict caused in a parenting plan is the reasonable contact between the children and the alternate parent – for most parents the age, maturity and developmental phase of small children is often used as a tool to promote their own agendas.

Two factors will significantly determine the time a child spends with their alternate parent: first the alternate parent (normally the father) must be committed to remain actively involved in the lives of their children (Nielsen, 2011:592). Secondly the working schedule

will make it possible for the children to spend as much time as possible with the alternate parent (Nielsen, 2011:592).

Kelly (2005:241) acknowledges the child's developmental phase when creating parenting plans as being of high priority, as well as the father-role in the children's development and the bond between them. The parent-child relationship and cognitive, social and emotional development should all be considered factors in a well-developed parenting plan. Robb (2010:15) supports the above researcher's view in adding that spending time being parented by both mother and father assist children's adjustment. Robb (2010:15) mentions the drafting of a parenting plan is more than a simple listing of dates, time schedules, exchange of children and overnight visitation; it should be crafted to foster positive relationships and the healthy involvement of both parents. Robb (2010:15) adds that when taking the child's developmental age into consideration there will be fundamental differences between all children's arrangements.

Hartson (2011:193), Kushner (2009:332), Robb (2010:16-20), Sanders (2007:70) and Strous (2007:233) identified the following factors when drafting parenting plans for young children:

- **Attachment or the reciprocal connectedness of parents and children** – despite the monotropy belief of Bowlby (1952) that a child only forms attachment with their primary caretaker (Strous, 2007:233), Robb (2010:17) indicates that a child, by the age of one may have secure attachment to both his/her parents if the contact between them is frequent. Robb (2010:17) explains that the term "reciprocal connectedness" refers to a mutual interrelatedness that is formed by a two-way interaction between a child and an adult caregiver and that by the caregiver's sensitivity to the child's developmental needs, the child may form perfect attachment to more than one person.
- **Pre-separation distribution of parenting time and responsibilities** – children will benefit from parenting plans if they resemble their pre-separation contact and care patterns. Robb (2010:17) explains that if both parents were actively involved in the child's care and routine, it should be maintained after the separation.

- **Child's age and temperament** – there should be a match between the temperament of the child and parent. Robb (2010:18) indicates that a child's age is very important in the decision made towards separation from various caregivers. Between the age of 8 and 12 months the anxiety regarding separation from a caregiver peaks and children during this time should be supported in any new relationships. Hartson (2011:193) adds that young children have a poor concept of time and therefore more frequent transitions between caregivers should be adapted.

- **Parental conflict and communication** –the biggest predictor for child outcomes after divorce is the level of parental conflict (Robb, 2010:18). Positive, supportive, co-operative co-parenting is an indication of positive adjustment, while hostile behaviours form part of a destructive outcome. Parents should communicate on a regular basis about their children's needs and both parents should distance themselves from discussing adult issues in front of the children (Sanders, 2007:70).

- **Parental anxiety and lack of trust** – if there is a parent with an elevated level of anxiety or insecurity regarding the contact between the child and the other parent, the child tends to feel a reduced sense of security with the other parent (Robb, 2010:19).

- **Parental ability to implement a consistent schedule** – it is evident that children who had a consistent caregiving schedule had fewer social problems and are less anxious or depressed (Robb, 2010:19). Children fare much better if parents can meet their need for active parental involvement (Kushner, 2009:332).

- **Traditional parenting time criteria** – parenting plans should foster positive relationships with both parents and both parents should be healthily involved in their lives, except for instances of substance abuse, domestic violence, serious mental illnesses or any other circumstances where the child's safety is at stake (Robb, 2010:20). In the table below, Robb (2010:20) provides guidelines for minimum contact for a parent:

Table 4.1: Guidelines for parental contact for young children (Robb, 2010:20)

Parent with minimal contact with the child pre-divorce.	Parent who had moderate involvement prior to the separation.	Both parents had significant involvement in the childcare pre-divorce.
● Two weekday mornings/afternoon visits. ● One weekend visit.	● One weekday morning/afternoon visit. ● One weekday overnight visit. ● One weekend overnight visit.	● Two weekday overnight visits. ● One weekend overnight visits.

Robb (2010:21) ends his discussion on parenting for under three-year olds by saying that multiple factors need to be considered when a parenting plan is drafted, but parents should always keep in mind what their children need, and parents should work together to make the logistics work. Brink (2009), Hartson (2006), Kelly (2005), Preller (2013), Robb (2010), Sanders (2007), Strous (2007) and Warshak (2014) state the child's age, maturity, temperament, attachment and developmental phase are important and should be considered when making visitation arrangements that is in the best interests of the child.

The following recommendations can be made regarding contact, but it should be kept in mind contact depends on the circumstances of the case and these are merely guidelines:

● **Infant/toddler plans (0-3 years)**

Hartson (2011:196) states that an infant should reside with a primary parent for most of the time, but with regular contact with short periods between contacts with the other parent. It should be clear that both parents should cover all parenting functions as there will always be controversy around the overnight parenting for both parents during this infant phase (Sanders, 2007:70). The alternate parent should begin short but frequent daytime parenting-time periods at least two to three times a week and visits should take place during the time when the infant is awake (Hartson, 2011:197). Robinson (2009:49) adds that the parents should focus on what the infant needs to feel secure and to build a trusting relationship with them on a continuous basis. Kelly (2005:242) acknowledges the above-mentioned statements as she explains that most infants form attachments to both

parents at approximately the same age, between six and seven months. Attachments consolidate during the next eighteen months and that it is imperative that children should spend equal time with both parents for relationships to be formed. Kelly (2005:243) adds that because of immature memory and poor sense of time, children with involved fathers benefit from multiple contacts every week. Transitions between parents should be calm, brief, loving and physically secure, since this age group rely heavily on non-verbal behaviour and attitude between their parents (Sanders, 2007:70). Hartson (2011:198) adds that although the child resides with one parent, the alternate parent should have parenting time for four to six hours twice per week.

Strous (2011:198) explains that in the *Divorce: A South African Guide* by Engelbrecht and Rencken-Wentzel (1999) a child's first bond would be with the person providing the most regular and consistent childcare and that shared residence should not even be a possibility. Strous (2011:198) emphasises the family advocate has recommended age appropriate guidelines for infants: (1) Monday, 1 hour; Wednesday, 3-5 hours and Saturday/Sunday, 3-6 hours or (2) Monday, 1 hour; Wednesday 1 hour and Saturday/Sunday, the full day. Strous (2011:198) explains that the family advocate recommends weekend contact of 36 hours as well as holiday contact of close to a week in contested matters involving very young children. Sanders (2007:70) states that communication between parents should be recorded and be limited to small, daily decisions.

● **Preschool age plans (3-5 years)**
The parenting relationship should be an extension of the infant/toddler phase and both parents should be involved (Sanders, 2007:70). If any interruption of contact with a parent occurs it could be detrimental to the long-term relationship, because this age group's long-term memory is not stabilised before age five or six (Sanders, 2007:71). The parenting time schedule should be stable and predictable. Robinson (2009:49) adds that it is important to focus on the child's emotional needs and gives clear information on an age appropriate level on matters pertaining to the divorce. Sanders (2007:71) limits the time spent away from either parent. It should not exceed three overnights and parents should

consider a schedule where one parent has two overnights and alternate weekends; this is also called the 2-2-3 plan. Sanders (2007:71) states that all transitions should be calm and brief with no negative actions between parents. Pre-schoolers are focussed on themselves and experience that all negative actions may be directed at them (Sanders, 2007:71). Robinson (2009:49) adds that pre-schoolers start to move away from their parents to pursue their own explorations and these negative issues can harm them emotionally. Daily communication is of essence and all communication in front of the child should be positive (Sanders, 2007:71; Strong & Cohen, 2017:514). Sanders (2007:71) mentions that each parent may make independent decisions pertaining to the child, but it should be communicated between the parents.

● **Elementary age (6-10 years)**

Most importantly at this age is that children start to relate positively to the larger world and typically expand their social networks as they start formal schooling (Sanders, 2007:71). Children become more self-sufficient and can spend more time away from the residential parent, because of their ability of keeping them in their mind for longer periods (Sanders, 2007:71). Sanders (2007:71) adds that the predictability of the parent time schedule still exists and both parents should respect this. Children in this age group develop rapidly and start with more outside activities; this can be a huge challenge for parents as they may compete for time with their child (Sanders, 2007:71).

Duchen and Schutte (2008:56), Preller (2013:45) and Robinson (2009:120) state that weekly contact can be accomplished with great ease, as children in this age group have self-regulation capacity in as far as behaviour, attention and emotion are concerned. Sanders (2007:71) explains that transfers can be made in assistance with significant others. Elementary-age children can witness communication between parents as long as it is conflict-free and child-orientated, as the child is genuinely interested in the details of their lives and that of their parents. Strous (2007:235) explains that school-aged children make less use of denial and therefore acknowledge the fact that an absent parent will return. Strous (2007:235) adds that a parenting plan for school-aged children can range from 35% to 65% with either parent, as a relationship with both parents plays a crucial

role in their own security. Strous (2007:235) recommends that these children need the alternate parent to fulfil their role in monitoring homework, attending school events, spending holidays together and disciplining them. Sanders (2007:72) explains that parents should consult with each other on basic decisions, because this age group easily manipulates parents.

- **Adolescents (11 – 18 year)**

Sanders (2007:72) regards this as a very challenging phase of parenting, because children start to be more independent and begin to experiment with their identity. Important developmental tasks can only be accomplished if both parents provide balance and structure to lessen the negative consequences that adolescents may encounter (Strong & Cohen, 2017:515). Parenting schedules should remain predictable; however, they should be flexible. Sanders (2007:72) maintains that parents should have a strong presence in the child's routine and daily functioning. Parents need not be involved during transitions and communication between parents should be structured around the child's routine and decision making should be highly coordinated (Sanders, 2007:72).

Adolescents will be more comfortable with more sleepovers or weekend visits, without breaking their daily routine (Robinson, 2009:51). At this age is it very important that both parents are involved in their child's life, although it should be noted that adolescents spend less time with parents. Parent schedules can become more flexible and the adolescents should be involved in making these decisions. Strous (2007:236) adds that young adults who have lived through their parents' divorce will give clear guidance on visiting arrangements and both parents should give preference to the adolescent child's needs in this regard.

Strous (2011:198) and Preller (2013:44) provide a clear indication to the age appropriate guidelines for parent time schedules provided by the family advocate. Parents should support each other in shared parental responsibility and children can have more than one significant caregiver providing emotional security. They may advocate sleepovers to facilitate bonding with alternate parent. In the table below these guidelines are given:

Table 4.2: Guidelines from the Office of the Family Advocate (Preller, 2013:44)

Age of child	Frequency and duration	Overnight	Vacation time without contact with primary parent
0 – 6 months	Longer periods recommended if contact is regular. If weekly, 3 hours per visit. Shorter, more frequent periods of contact are suggested, 2 to 3 times per week.	No	No
7 – 18 months	The same as above	No	No
18 – 36 months	Weekly contact. If during weekends, a portion of one or both days. Long weekend visits are not recommended. Acceptable for 3-year olds.	Possible accepted for 3-year olds.	Possible. Many factors to take into account. One week or less for older children in this age group.
3 – 5 years	Predictable contact is important. Weekly time, if possible. Full weekends or 2 other days and nights at this stage.	Yes, usually.	Yes. Possibly longer than 1 week for younger children. Maximum of 2 weeks for older children.
6 – 12 years	The same as above. An additional overnight stay is applicable for this age.	Yes	Yes, 2 weeks or longer. It is possible to exchange the primary residence during holidays with reversed time-sharing at this stage.
Adolescent	Focus should be on the needs of the teenager while parental responsibility and supervision is maintained.	Yes, optional.	Yes. Increases sensitivity regarding activities and schedules for this group – depending on work/sport/school.

Robinson (2009:121) explains that parents must create their own ideas and decide amongst themselves what the best planning would be. Parents often decide on what would work and what not and this may create conflict.

The researcher agrees with Hartson (2011:198) in that every child is different and the family unit is unique. Therefore, parenting plans should be drafted to meet the child's developmental needs and the plan should be modified as the child ages. Parents should be able to know best as to what will work for their children depending on their developmental needs, characteristics and ultimately keeping their interests at heart. Strous (2007:238) ends by stating that co-operative parenting and parenting plans mean that each child's right is to develop and maintain an independent relationship with both parents, to be guided, taught, supervised, disciplined and nurtured by each parent and to spend time with both parents on a regular basis.

4.8   CONCLUSION

Divorce is a worldwide problem that influences families and society at large. Research has established that divorce creates multiple adjustment issues for children and parents. Children of divorce, living with joint custody arrangements, tend to feel loved and accepted. Children with both parents involved in their lives reported less feelings of loss, depression and academic problems (Haimi & Lerner, 2016:5). The information in this chapter provides evidence that protective factors like both parents being involved in the children's lives, shared custody, co-parenting and a well-drafted parenting plan can soften the effects of parental divorce.

The researcher agrees with Robinson (2010:47) that in drafting workable parenting plans for the divorcing family all the parties need to give their full cooperation during the process. The structuring of a well-organised, practical and realistic parenting plan should be a unique process captured by the individual needs of all individuals, but especially the best interests of the children. The developmental phase of the child is significant in determining the content of the parenting plan.

CHAPTER 5
MEDIATION MODEL AND PARENTING PLANS IN SOUTH AFRICA

5.1   INTRODUCTION

Mediation during parental divorce is a relatively new concept in South African Law but has been a part of international law for decades. Badenhorst (2013:38), at the Centre for Alternative Mediation in Johannesburg explains that mediation assists parties that have been struggling with their disputes and negotiations for far too long. Boniface (2013:130) states that mediation has become increasingly important in Family Law in South Africa, because the Children's Act 38 of 2005 includes mediation as compulsory in certain instances. The child's right to be heard is addressed during divorce mediation and this is the most important fact that the Act prescribes.

Fourie (2012:6) states that there can be little doubt about the way in which the Children's Act 38 of 2005 protects the parent-child relationship. The biggest shift was made in the parental authority of parental power regarding the child's rights and the parent's responsibility. Another shift was the right to unmarried fathers towards the lives of their children. The product underlined in this Act is the development and implementation of parenting plans in South Africa. Fourie (2012:6) explains that the Children's Act 38 of 2005 places a high priority on resolving parental conflict during divorce in all instances. The end of this is to emphasise mediation as a dispute resolution or problem-solving mechanism. Fourie (2012:6), as Family Advocate, sees this as being more positive towards all parties committing themselves to solving their problems, not involving the judicial system in their conflicts and dragging children through the process of the court system.

The main aim of mediation in the context of drafting and implementing parenting plans, is to encourage adults to reach an agreement and try to solve their problems that reflects the best interests of their children (Combrinck, 2014:45). Brink (2009:9) supports the best interests of the child as the main aim of mediation and that mediation will address the

children's adjustment to parents' separation and their unique needs during the drafting of a parenting plan. Brink (2009:11) adds that during effective mediation children experience a reduction in parental discord and become securely attached to both parents, which in the end supports their development.

5.2   DEFINITION OF MEDIATION

Mediation is a process where a neutral third party assists parents to identify issues in dispute, discuss these issues and to conclude with viable solutions. Duchen and Schutte (2008:93) define mediation as an alternate dispute resolution process, where parties meet with a third person, mediator, for facilitating an agreement between parties. During the mediation, all the options that the parties have are highlighted and the goal of mediation is to have the best practical solutions that meet their needs. The mediator does not recommend options nor give solutions to the parties (Duchen & Schutte, 2008:93). Mediation is part of the dispute resolution options as stated in section 33(2) of the Children's Act 38 of 2005.

Boniface (2012:38) defines mediation as an alternative dispute resolution, a co-operative negotiation process where a mediator assists the parties in negotiating issues in their way to reach an agreement or settlement after their separation while De Jong (2009:112) sees mediation as a way in which all family members reach a mutually satisfying agreement that addresses their needs and rights post-divorce. Schneider (2007:265) is of the opinion in the social sciences, mediation is undertaken to improve the relationship between parents during their conflict but also to improve the relationship between a parent and a child. Furthermore, mediation improves connectivity and reduces legal costs. Mediation is more effective for all involved during divorce. Combrinck (2014:45) considers mediation to be a process of dispute resolution by a neutral third-person who aims for problem-solving outcomes or in other words during mediation the parties agree to address their respective psychological and economic needs. Mediation should encourage communication between the parties and therefore the mediator needs to reflect transparency and collaboration. Boniface (2013:103) explains that professionals acting

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as mediators should keep in mind that the process of discussion should be nourished and sustained, but no decisions should be made as the mediator is merely a non-biased third-party. Boniface (2013:103) adds that mediation is a private process, relatively informal where the parties involved determine the outcome of the mediation.

Botha (2011:6) is of the opinion that during mediation parents are assisted to seek solutions and make informed decisions that will be in the best interests of their children after considering all relevant information and asserts that the mediation process should be non-prescriptive, goal and future orientated and in the end, empowering.

The following discussion will focus on the general principles of mediation, the mediation process and the phases followed during mediation.

5.3   GENERAL PRINCIPLES OF DIVORCE AND FAMILY MEDIATION

Divorce in South Africa has become a reality for many children and the conflict around parents not being able to co-parent in their children's lives, make the change more difficult. Mediation allows parties to examine ideas and options in a meaningful, safe environment with an end goal of achieving winning solutions and to preserve relationships between family members. Boniface (2012:104) explains that within the field of divorce and family mediation there are basic principles that professionals should adhere to during the process of mediation:

- Mediation is a process within the boundaries of the law system.
- Mediation is a fixed multi-stage process and the stages depend on the model being followed.
- Mediation is private, confidential and in the end only the outcomes are incorporated in the settlement agreement.
- Mediation is multi-professional and a holistic process, as clients might be referred to other professionals.
- Mediation is not prejudiced, but rather encourages parents to reach an agreement and promotes informed decisions about the best interests of their children.

- Mediation's outcome is controlled by the parties involved.

Several types of mediators are identified. Boniface (2012:105) identifies the following types of mediators: the first being the social network mediator who is known to both parties, is a respected member of the community, this person is neutral but fair in their decisions. This kind of mediator normally maintains long-term social relations and might even participate in the implementation of the agreement. Secondly, there are authoritative mediators that refer to a person who is in a position of having authority over the parties involved in the dispute and who has interest in the outcome of the mediation. Thirdly, there are individual mediators who have no prior relationship with any of the parties involved; the main aim here is to settle the dispute in an acceptable manner for both parties.

Badenhorst (2014:38), Boniface (2012:106) and Botha (2011:7) identify the following styles of mediation. **Evaluative (directive) mediation** where the mediator plays an active role in the decision-making process, by identifying the strengths and weaknesses of their case and assisting the parties in the reaching of sound resolutions. The mediator provides additional information to both parties, assesses the issues at hand, identifies workable solutions and gives advice about settlement. During this style of mediation, the settlement is of paramount importance and often the parties' autonomy is compromised. These mediators are often attorneys with substantive legal expertise.

Facilitative (non-directive) mediation is the other style, where the mediator acts as a facilitator between the two parties and all communication or negotiations are done through the mediator. The mediator simply offers an opinion on what should be done, but the final recommendations are made by the parties involved. Family mediation normally resides under this style of mediation and the mediator is usually an expert in child or family law. The role of the mediator is to motivate the parties to reach a settlement outside the court. The mediator who facilitates the process argues strongly that the parents are in the best position to make the final recommendations, as they are intelligent and understanding of

their own environment. The focus of facilitative mediation is the mediator that controls the process itself and the parties are in control of the outcome.

In **transformative (therapeutic) mediation** the mediator focuses on the dispute itself and his/her ability to change the dispute from negative to positive. The mediation is often growth-orientated, and the mediator supports the parties in their decision-making process. The mediator meets with both parties and the emphasis is on the relationship as a means of determining the future conduct between parties. The parties involved structure the process and the outcome of the mediation; the mediator often follows the lead. This style of mediation relies on self-determination, responsiveness from both parties, empowerment and recognition of all party's needs. During **narrative mediation**, the mediator helps the parties to develop an alternative story of their relationship. Boniface (2012:107) sees this as the process where behaviour is not seen as a dynamic, but rather as a story that has become problem-saturated. Narrative mediation often ends in both parties growing psychologically and morally.

Parents should remember that during the time of high emotions and confusion, understanding their own role in making sense of their separation should be the goal. Even if separation is inevitable, the best option is seeking mediation to move forward in the life's transition in a civil manner and which will not damage the children.

5.4 THE MEDIATION PROCESS IN DRAFTING AND IMPLEMENTING A PARENTING PLAN IN SOUTH AFRICA

A vast amount of research has been done in the drafting of parenting plans in South Africa (Botha, 2011:7; Combrinck, 2014:47; Duchen & Dennill, 2005:18; Duchen & Schutte, 2008:7; Robinson, 2010:135) and the most used model seems to be the Family and Child Mediation (FCM) model compiled by Familyzone and Duchen (2008). Botha (2011:9) explains that parents can choose a mediator who is qualified in divorce or are often referred to a suitable mediator by the Family Advocate's Office. Most researchers (Duchen & Schutte, 2008:3; Combrinck, 2014:47; Robinson, 2010:135) argue that the

process of drafting a parenting plan follows a specific order. Botha (2011:6) explains that the FCM Model starts with a first session with both parents, during which the professional identifies issues between parents that need to be addressed.

According to Combrinck (2014:47), this model takes approximately three to four sessions of 90 minutes to cover all topics. Botha (2011:7) further explains that after the individual sessions an agenda is drafted and sent to both parties, for further input. After that the professional meets with the parties to work through all issues to create an agreement based on the best interests of the children. Botha (2011:7) and Combrinck (2014:48) add that after that both parents are given the opportunity to provide written input on defined agenda items prior to the session. According to Botha (2011:9), Combrinck (2014:48) and Robinson (2010:135) the ideal is that the children are also consulted as stipulated by the Children's Act 38 0f 2005.

Duchen and Schutte (2008:5) explain that the mediator then consolidates agreements prior to the meeting and flags items of disagreement for mediation. After the consolidation, often educational or informative sessions follow in organising notes. Minutes are prepared for every session and sent to both parties prior to the next meeting (Combrinck, 2014:48). Combrinck (2014:48) explains that the minutes contain accurate information about the prior session, agreements reached, issues that need to be debated and then the parents must sign off the minutes. After finalising the parenting plan, it is written and then signed by both parents (Botha, 2011:9). The parents then have the choice to have the parenting plan registered by the office of the Family Advocate. Combrinck (2014:48) adds that four original signed copies of the plan and a declaration by the mediator who completed the plan must be submitted for a parenting plan to be registered. She explains that if the parenting plan is part of a divorce, it should be added as an addendum to the divorce settlement, which in the end will be endorsed by the Office of the Family Advocate.

Robinson (2010:135) studied the research of Lyster (2007) and Gould and Martindale (2009) and developed her own three phase model for drafting a parenting plan in mediation with divorcing families. This model starts with the contractual phase, followed

by the facilitation or mediation phase and ends with the report writing phase. According to Robinson (2010:135) this model serves as a guideline for all professionals drafting a parenting plan.

Figure 5.1: Three phase model (Robinson, 2010:135)
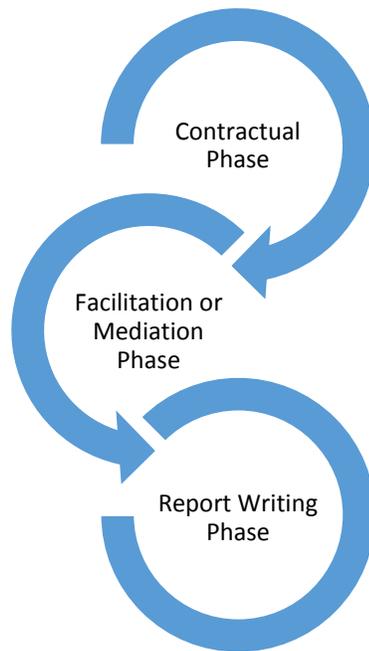
This three-phase model is widely used by professionals when drafting well-developed and child-friendly parenting plans post-divorce. The Family Child Mediation (FCM) model of Duchen and Schutte (2008:3) divide the mediation process into three broad phases: preparatory phase, joint mediation sessions and final phase during which the parenting plan is drafted and signed. For this study the researcher will give a detailed description of the three-phased model created by Robinson (2010:135).

5.4.1 Contractual phase

Both Combrinck (2014:49) and Robinson (2010:136) mention that an important part of the start of the professional relationship when working with divorcing families is to draft a legal contract before commencing with the parenting plan. The main aim of the contract is to guide the process that will be followed. From the first session both parties should be

aware of their roles, responsibilities, expectations, rules and the task at hand when drafting parenting plans. The overall aim in the end is to protect both the professional mediator and the clients (Botha, 2011:7). During the contractual phase, parents should also be made aware of the ability to change the initial parenting plan although changes in the plan is not done with ease. Robinson (2010:136) explains and it is stipulated in the Children's Act 38 of 2005 that amendments may be made in writing by parents who have the rights and responsibility of the child. These changes together with the support of the court or advocate in the High Court may confirm, amend or terminate a parenting plan.

Botha (2011:6), Combrinck (2014:49) and Robinson (2010:136) identify the following aspects to be stipulated in the contract: (i) the interview process; (ii) what to expect in the process; (iii) confidentiality matters; (iv) fees; (v) timing; and (vi) signature of agreement. The above-mentioned six aspects of a contract as described by Robinson (2010) will be discussed below:

i.   **The interview processes**

The interviews for drafting a parenting plan, are divided into the following: (a) an initial consultation session with both parents where the need of a parenting plan is discussed, the contract is signed, and the parenting plan template is given to both parents for completion at home – this session is scheduled for approximately two hours. The second step (b) is the consultation session with the children, to hear their needs and perspective on the future after the divorce – this session can be scheduled for one to two hours. A follow-up consultation with both parents (c), for the evaluation of the completed parenting template and to discuss all their agreements and/or disagreements. The aim of this session is to clarify all issues between the parents about the care of their children post-divorce; this session might take up to two hours; and (d) a finally a session for feedback with all parties involved, including children. During this final session the parenting plan is delivered, and the implementation thereof explained – two hours may be scheduled for this session. The intervention process can be concluded within four sessions, but if the need arises more sessions can easily be added.

ii.   What to expect in the process?

The first meeting will be to establish the family dynamics and to gather as many as possible details pertaining to the drafting of a well-developed parenting plan. During the first meeting the mediator will explain the contract, the rules that all individuals should adhere to, and the behaviour of all members during consultation and the basis of respect towards each other. Robinson (2010:138) asserts that the most important aspect during the first session is to give right to the child's best interests and that both parents understand this concept clearly. Drafting a child-centred parenting plan, the best interests of the child should be the main goal for all parties involved. Combrinck (2014:49) adds that a significant part of the first session should be informing the separating and divorcing family about the administrative process of divorce, the legal aspects of divorce, family members' rights and responsibilities, and the process they will go through during the process. She states that communication should be open and honest, the needs of all the family members should be accounted for, the family dynamics should be clearly evaluated, and the parenting plan should be drafted by keeping all the mentioned facts in mind. Botha (2011:6) explains a high quality and feasible parenting plan can only be drafted if all family members are recognised and involved in the process. On the other hand, researchers (Boniface, 2012:107; Botha, 2011:6; Combrinck 2014:49; Duchen & Schutte, 2008:3; Robinson, 2010:138) suggest professionals drafting a parenting plan should be transparent, clear, honest and realistic about the process followed during intervention and the post-divorce period.

After all the administrative tasks have been completed, the contract signed, and all members informed about their rights/responsibilities, each parent will receive a parenting plan template to be completed at home. After completion, this template will be returned to the professional and the professional will combine the parental input into a draft parenting plan. Robinson (2010:138) adds that it is imperative to include the children and a session will be reserved for them. Robinson (2010:138) and Combrinck (2014:49) state that children should be interviewed in an age-appropriate manner and all information about their needs, wishes and daily functioning will be established. After consulting the children all problem areas will be discussed with the parents and solutions will be sought

to come to an agreement. Botha (2011:6) explains that after all individuals have been consulted the final parenting plan will be drafted, feedback sessions will be done, and, in the end, a final copy of the parenting plan will be delivered. These researchers (Botha, 2011:6; Combrinck, 2014:49; Robinson, 2010:139) are of the opinion the process is not completed before the family has finally met to explain the implementation of the parenting plan. The optimal functioning of the family needs to be clarified and the post-divorce route as a legal process addressed. All family members should be clear on the steps that must be followed for the parenting plan to become a legally binding document.

iii.   Confidentiality matters

This is a very important part of the contractual phase as all confidentiality matters must be agreed upon in writing in a contract. Robinson (2010:139) mentions that restricted confidentiality will apply, meaning that the professional reserves the right to share the information if it is in the best interests of the family. Both Robinson (2010:139) and Combrinck (2014:50) explain that before the process of contracting starts all parties should agree that some of the information may be disclosed and that the professional reserves the right to share information if supposed to be in the best interests of the family. This would include, at the professional's discretion, counsellors, therapists, teachers, schools, legal documents, and previously drafted parenting plans.

iv.   Fees

The professional needs to clarify financial arrangements in this meeting. Botha (2011:7) adds that financial arrangements are very important and must be agreed upon prior to commencing intervention and structuring the parenting plan. The cost of the intervention to structure a parenting plan should be discussed.

v.   Timing

The professional should give a time-frame in which the parenting plan needs to be completed if all interventions work according to plan. Robinson (2010:140) emphasises that planning around dates is very important to all parties and should be clearly addressed so that all parties at least have some sense of when the process will be completed.

vi.   Signatures to the agreement

It is important that all parties involved sign the agreement which includes the parents, the children, and the professional. Combrinck (2014:51) supports the fact that children should be allowed to sign the parenting plan, even if they only scribble, as this will include them in the drafting process.

5.4.2 Facilitation or Mediation Phase

Family and divorce mediation is a process in which a mediator facilitates the resolution of family disputes by promoting voluntary agreement between parties. Robinson (2010:140) states that the professional needs to adopt an appropriate role to assist the separating and divorcing family with the process of drafting and implementing a parenting plan. The mediator's role depends on the family's needs. Combrinck (2014:51) explains that the professional will be directly involved in the divorce process, as appointed by the court or in the capacity as private professional appointed by the parents. The primary objective of the professional will be to give assistance to the divorcing family, guide the process of mediation and to handle disagreeing issues between all parties (Botha, 2011:7). Robinson (2010:140-141) adds that a trained mediator should motivate the family members to read material on the divorcing family, as educational material will prepare the family on the expected outcomes and process after the parenting plan was drafted.

It is important that the family unit in question is knowledgeable about the divorce process, knows their rights and responsibilities and is sure of all the implications of any decisions that they might make (Combrinck, 2014:51; Robinson, 2010:141). Knowledgeable parents and children generally have more insight and realistic expectations of the process. Educated parents and children display more insight during the process of drafting a parenting plan, they have more realistic goals and their adaption after the parenting plan was drafted is better.

5.4.3 Report writing phase

All records should be properly maintained and filed, information recorded, detailed records are advisable and safekeeping of all the information is an ethical obligation (Botha, 2011:7). All available records should be used during the writing of the parenting plan and kept in a secure place thereafter. Robinson (2010:141) adds that the parenting plan should be well-structured and organised and should include all information and relevant topics for the separating/divorcing family to function properly post-divorce.

Thayer and Zimmerman (2001:72) suggest that professionals are required to draft successful parenting plans that can be effectively implemented, and that complicated and elaborative parenting plans need to be avoided as the post-divorce family need to implement these plans with great ease. Thayer and Zimmerman (2001:73) assert that child assessment is necessary as the inclusion of their needs will enable professionals to compile high quality parenting plans.

In addition, Robinson (2010:143) emphasises the importance of professionals protecting both themselves and their clients. Divorcing parents display negative and angry attitudes that should not influence the process or the mediator. The researcher suggests that professionals should protect themselves ethically and the child's best interests should be of paramount importance to all. Boniface (2012:103) suggests that the use of structured models for drafting and implementing parenting plans will aid in reducing parental conflict following separation, and structure will promote the selection of appropriate parenting time-share schedules and will address the needs of children and their parents.

5.5 PARENTING PLANS IN SOUTH AFRICA

The Children's Act 38 of 2005 offers parenting plans as a method for parents to regulate, structure and agree how to exercise their parental responsibilities and rights. The Divorce Act 70 of 1979 supports the exercise of parental responsibilities by adding that before a court may dissolve a marriage, both parents need to agree on the basis in which they will

support their children. Fourie (2012:2) explains that the process of mediation is an important part to the drafting of parenting plans and that mediation should be mandatory where parents have conflict about their agreements in the best interests of their children. A parenting plan is essentially an agreement between the co-holders of parental responsibilities and rights on the way they will exercise their parental responsibilities and rights in respect of the child in question. Section 33(3) of the Children's Act 38 of 2005 states that a parenting plan may determine any matter in connection with parental responsibilities and rights and then contain a list of examples of matters which may be regulated in a parenting plan. These include where and with whom the child is to live, maintenance of the child, contact between the child and parents, parental rights and responsibilities, schooling of the child and the religious upbringing of the child.

For the next section, the concept of the best interests of the child will receive attention.

5.6   BEST INTERESTS OF THE CHILD

A parenting plan should always be in the best interests of the child and the following guidelines should be considered (Brink, 2009:10; Robinson, 2009:72-73):

- If the child is mature enough to express his/her wishes, professionals should adhere to their reasonable preferences;
- The mental and physical health of the parents should be evaluated;
- All religion and cultural preferences should be acknowledged;
- The continuation of the stable home environment of the child is a necessity;
- Support and opportunity for contact with all significant others should be recognized.
- Regular interaction and interrelationships with family members should be continued.
- Adjustment to the child's school, community and friends is of utmost importance;
- The developmental phase, age and sex of the child should be considered;
- Excessive discipline or emotional abuse of any parent or caregiver should be noted.
- If there is evidence of parents using drugs, alcohol or sexual abuse.

The best interests of the child implies that the child receives primary consideration in all aspects concerning the child.

5.7   TOPICS INCLUDED IN A PARENTING PLAN

Botha (2011:6), Brink (2009:10), Combrinck (2014:53), Duchen and Schutte (2008:33), Robinson (2010:143) and Thayer and Zimmerman (2001:69) emphasise the following topics included in the Children's Act, section 33(3) as an important part of every parenting plan:

The Children's Act states that a parenting plan may determine any matter in connection with parental rights and responsibilities, including –
  (a) where and with whom the child will live;
  (b) the maintenance of the child;
  (c) contact between the child and any parties, other person;
  (d) the schooling and religious upbringing of the child.

i)   Where and with whom the child is to live
In practice the researcher established that residency of a minor child is a topic that creates tension between biological parents. Robinson (2010:144) mentions that when considering where the child should primarily reside, the following needs to be considered: who primarily prepares and plans meals for the child, baths and dresses the child, cleans and cares for the child's clothes, provides medical care, arranges social activities and drives the child to school, supports the child with extra-mural activities and teaches basic skills to the child. Combrinck (2014:53) says professionals should ensure parents are realistic about the choice of residence and the child should voice his/her need in this regard.

ii)   The maintenance of the child
The expenses of the child are the responsibility of both parents and the professional should discuss this in length (Robinson, 2010:145). Botha (2011:7) adds the parenting plan should state who will pay maintenance and that the amount should be included.

Robinson (2010:145) asserts that professionals should assist parents to be realistic, reasonable and clear about maintenance matters.

iii)   Schooling and religious upbringing of the child

Education and religion are two very important post-divorce matters parents need to address for the child's stability and emotional adaptation after parental divorce. Robinson (2010:146) explains that both parents need to be involved in the educational decisions of their children to give clear structure and security. Professionals should guide the parents regarding important decisions around the child's educational needs and activities (Botha, 2011:10). Robinson (2010:147) and Combrinck (2014:54) add that religion is another matter that can assist a child to feel more secure post-divorce. Robinson (2010:147) accentuates that both parents should act in the best interests of the child and should not change the child's structure about their religious beliefs and activities. The parenting plan should clearly state both parent's commitment towards the children's religious upbringing and support.

iv)   Statement of competencies

Robinson (2010:148) states that every parenting plan should start with a clause that declares the statement of the parents' competencies, as this will contribute to the professional appearance of the parenting. Thayer and Zimmerman (2001:74) add that all professionals should be aware of current developments in mediation and the development of parenting plans. Gould and Martindale (2009:357) add that professionals working with divorcing families in drafting parenting plans should at least have a postgraduate degree in a relevant field and should be trained in child development, child and adult functioning and family systems.

v)   Personal details of family members

As explained, in the beginning of the mediation process the task of the professional is to gather as much as possible information about the parents and family members. Robinson (2010:149) mentions that all individual details will be stated in the final parenting plan and that this should be correct.

vi) Decision-making

A parenting plan is a joint decision making-process between two parents about their children's health, education, welfare and maintenance and both parents should be recognised in this regard. Robinson (2010:150) states parents should understand their rights and responsibilities toward their child and this includes decision-making.

vii) Communication

The researcher accentuates that communication is an important topic that needs to be included in the parenting plan. Both Robinson (2010:152) and Combrinck (2014:54) mention that communication should assist parents to meet their child's basic needs and clear communication should prevent the feeling of being overwhelmed by the process of making sound decisions. Botha (2011:9) adds that an effective parenting plan will allow sound, clear and effective decision making between the parents. Thayer and Zimmerman (2001:72) state that both parents should address the child's needs and performance in different areas from educational needs up to daily activities. Professionals should assist parents to select the most effective way of communication that will work for them to keep their communication open and clear.

viii) Conflict and dispute resolution structure

The Children's Act 38 of 2005, section 6(4)(a), about reconciliation states that:

> (4) In any matter concerning a child
> (a) an approach which is conducive to conciliation and problem-solving should be followed and a confrontational approach should be avoided; and
> (b) a delay in any action or decision to be taken must be avoided as far as possible.

Robinson (2010:153) acknowledges that parenting plans should be proactive about conflict but should address conflict situations and turn disagreements into polite disagreements between parties. Gildenhuys (2015:41) adds that parents should be encouraged to work together for the sake of their children and raising their children should be a joint decision. Combrinck (2014:56) and Thayer and Zimmerman (2001:29) explain that professionals should emphasise to both parents that high conflict will influence their

children negatively and that it should be minimized for the families' well-being. A well-drafted parenting plan will reduce conflict between parents.

ix)   Special occasions and exchanges

A parenting plan should make special provision for special occasions. Robinson (2010:155) emphasises that professionals should assist divorcing parents in realising the importance of special occasions to all family members. These special occasions can be parents' birthdays, Father's Day, Mother's Day or siblings' birthdays. Exchanges of children between parents should be without any ordeal and rather be civil. Botha (2011:11) mentions that the exchange process of the children between parents should be added to the parenting plan template and that professionals should assist parents to achieve workable exchange schedules.

x)   Contact with alternate parent

Professionals should support contact between the alternate parent and the child, as this will promote the well-being of their relationship and the child will feel secure. Robinson (2010:157) explains that this contact can be via telephone, email or Skype. She adds that all forms of extra contact should clearly be stated in the parenting plan, as there should not be a misunderstanding with regards to contact.

xi)   Parenting styles and values/norms

It is the responsibility of professionals to draft a parenting plan wherein both parents attempt to raise their child with similar parenting styles, value systems and discipline as this will strengthen the child's sense of security (Robinson, 2010:158).

xii)   New partners

Introduction of new partners after parental divorce is always a challenging task to handle for children. Robinson (2010:159) supports this when she adds that professionals should inform parents to always remain focused on their children's well-being and their best interests. Robinson adds that parents should be informed and educated on the possibility of new partners and the way they need to behave towards them (2010:159). Gildenhuys

(2015:37) explains that before introducing a child to a new partner, a parent must make sure the child has a secure and stable environment. Combrinck (2014:60) adds that provision can be made in a parenting plan to add some guidelines on the commitment of parents before introducing new partners.

xiii) Other important factors

Robinson (2010:161) explains that there are many kinds of needs that can be added to the parenting plan and that families should agree during mediation of the specifics that need to be included. Brink (2009:11), Combrinck (2014:50), Robinson (2010:161) and Thayer and Zimmerman (2001:73) all agree that the best interests of the child should be the main goal during the drafting of a parenting plan and that both parents should focus on the intention of their plan. These researchers also argue that a parenting plan should be child-centred and include the voice of the child.

Robinson (2010:162) concludes that a professional ought to evaluate and analyse the divorcing family unit's dynamics and overall functioning when considering adding topics that will assist in the post-divorce functioning. Topics that can be included may range from denying access, moving, relocating, international travel, emergency arrangements, and developmental needs, new marriages, to even a suitable age for a child to spend a night with the alternate parent.

Brink (2009:12), Combrinck (2014:76), Duchen and Schutte (2008:106) and Robinson (2010:163) agree that when a parenting plan is completed the professionals should check the criteria below, as the plan must:
- Include all information agreed upon and needs that the divorcing family recommended;
- Give a clear indication on the divorcing family's needs and how the needs will be met;
- Obtain knowledge on the operation of the post-divorce family and what needs to be done during the reconstructing phase;

- Empower the divorcing family to be positive in their focus after the divorce and facilitate change.

Parents should remember that a written parenting plan will clarify their roles and expectations, but also avoid petty arguments and focus on what is best for the children. In the end it is both parents who decide what should be in their parenting plan, to make it useful and effective for all.

5.8   ETHICAL GUIDELINES DURING THE DRAFTING OF A PARENTING PLAN

All professionals work under a body that requires ethical conduct and prescribes rules to be adhered to. When drafting a parenting plan with divorcing families' professionals must follow ethical guidelines (Robinson, 2010:164). Ethics is a way in which professionals can protect themselves and their clients. Robinson (2010:164) states that the following guidelines need to be considered by professionals:

- Following the intervention process, no harm or emotional damage should accrue. Divorce is a life changing process for all involved and clients should be protected from any added harm. Professionals should not force parents to make decisions they are not ready for or be bullied into agreeing on things to which rules must be adhered.
- Professionals should see the child as the most important client and their needs are of paramount importance. During the drafting of a parenting plan the child's best interests, needs and well-being should be of utmost importance and the child should be protected.
- Professionals should act in a professional manner and this will include being on time, being professionally dressed and acting in a respectful manner towards everyone involved.
- Professionals should be objective always and act accordingly. As a mediator the professional should be neutral and non-judgmental toward any of the parties.
- Professionals should not have any prior relationships with any of the parties, as this will influence the professional's ability to be neutral.

- When data is obtained the professional should make use of different information sources and may make use of interviews, questionnaires, reports from other professionals and home visits.
- The quality of the service should not be influenced by the fees payable. The interaction should be ethical, honest and clear in all instances. The fact that a parenting plan is filed at the court in the end, warrants a high standard of professional work.
- All parties should be included in the interaction process and all individuals' opinions, wishes and needs must be clearly stated in the final parenting plan.
- Professionals should limit the interaction with other professionals and if need be all the communication should be in writing. Mediation is a confidential matter and this needs to be respected.
- The professional must obtain informed consent from all individuals and the limitations towards confidentiality should be in writing.
- The professional drafting a parenting plan should be well qualified, with considerable training in the field of parenting plans post-divorce.
- The professional should be able to acknowledge biased actions and feelings and assure that it does not affect the final parenting plan.
- The final parenting plan should be well-structured, of a high standard and child-centred.

Professionals drafting parenting plans should be well trained with regards to the legal instruments pertaining to children and make sure that the plan is in the best interests of the child. Professionals should draft child-centred parenting plans and both parents should be equally involved.

5.10   CONCLUSION

The reality of parental divorce will always be a part of society and the Children's Act 38 0f 2005, with inclusion of mediation and drafting of parenting plans, will change the functioning of all parties after divorce. The researcher states it is always in the best

interests of the child as well as the parents to voluntarily have a parenting plan compiled to guide them on their future path with their children. Lebow (2007:85) states that by restricting the amount of time devoted to repeating the past, the mediator reinforces the stance that parents are coming together to engage in productive work to minimize the negative consequences of their divorce on their children.

Whether parents decide to make use of mediation to draft a parenting plan and whether they decide to have a parenting plan voluntarily or not, the matter remains that children are better off after divorce if they are able to spend time with both their parents and the extended family. Gildenhuys (2015:72) is of the opinion professionals should support parents to choose an out of court divorce with constructive mediation, as this will help parents to maintain control over the divorce and ensure their children's needs are the central focus.

Professionals drafting parenting plans in South Africa should make sure that the child's right to parental care is fully addressed. Children should be protected and their right to legal representation should be concluded in a child-centred parenting plan. In the end the child's best interests should be the main goal of professionals drafting parenting plans. After completing the parenting plan for the divorcing family, the professional should be sure that the child's needs were met and that both parents take full responsibility for the child's future.

CHAPTER 6
RESEARCH METHODOLOGY

6.1   INTRODUCTION

The previous chapters explored parenting plans and co-parenting, divorce and children in middle childhood, mediation models and parenting plans in South Africa and a review on the impact of divorce based on the Family Systems Theory and the Ecological Systems Theory as theoretical underpinning in understanding the well-being and health of not only children, but families in society at large. So far, divorce involving minor children was unfortunately considered to be a juridical problem – with prolonged custody battles between parents, but the innovative approach as directed by the Children's Act 38 of 2005 involves more professionals that can account for the overall well-being of the children and the restructuring of the families. This study contextualises the principles underlined in the Act and the first phase of this mixed-methods study explores the experience of parents during the process of their own divorce and drafting of parenting plans, while the second phase describes the views of professionals in practice on the implementation of parenting plans. This chapter focuses on the specific research methods the researcher used during the study.

6.2   GOAL AND OBJECTIVES OF THE STUDY

The goal of this study was to explore and describe factors influencing the implementation of parenting plans in South Africa. For the goal to be met the following objectives had to be achieved:

- to contextualise principles, rights and responsibilities of the parents as pertaining to parenting plans;
- to contextualise parenting plans within the divorce process with reference to the impact of divorce on children in middle childhood;
- to explore and discuss divorced parents' experience of parental responsibilities towards their children during divorce;

- to describe the views of professionals in practice on the implementation of parenting plans and explore their recommendations for effective parenting plans;
- to draw conclusions and develop guidelines, with user-friendly checklists for implementing parenting plans in South Africa for parents with children in middle childhood going through divorce, and for professionals working with these families.

6.3 RESEARCH QUESTION

In the research study the researcher decided to use mixed-methods research to answer the following research question: **Which factors influence the implementation of parenting plans in South Africa?**

Mixed-method research is often used when researchers search for knowledge about real-world issues based on the philosophy of pragmatism that place the emphasis on finding the answers to these research questions, rather than the methods used (Patton, 2014:269). The mixed-methods researcher combines qualitative and quantitative strategies within one study, collect both text (word) data and numeric (numbers) data concurrently or in sequence, and choose variables and units of analysis that address the research question (Teddlie & Tashakkori, 2009:81).

6.4 RESEARCH APPROACH

In this study, the researcher made use of the mixed-methods research approach to collect, analyse and interpret research results obtained from a selected sample. With both quantitative and qualitative data included in a study, integrating the two forms of data, the researcher enriched her findings and it provided a more comprehensive understanding of the problem at hand (Creswell, 2014:4). It also allowed the researcher to test theoretical models and to modify them based on participant feedback. Results of precise, instrument-based measurements may likewise, be improved by contextual, field-based information (Creswell & Plano Clark, 2007:26). This was ultimately achieved through the use and integration of data in the various research stages namely data collection, data analysis

and discussion and reporting of findings. The motivation to use mixed-methods research is based in the possibility to use the qualitative and quantitative research in one study, as both research methods' strengths and weaknesses would be of value to answer the specific questions for this study (Johnson & Onwuegbuzie, 2004:15).

Mixed-methods research (Plano Clark & Creswell, 2008:21) can be defined as:

> …the collection or analysis of both quantitative and qualitative data in a single study in which the data are collected concurrently or sequentially, are given a priority, and involve the integration of the data at one or more stages in the process of research.

A mixed-method approach is rooted in a pragmatic paradigm (Creswell, 2014:11) with pragmatism as the foundation for mixed-method studies whereby the researcher uses multiple data collection methods to gather the data and analyse it. The researcher noted that pragmatism is also a principle underlined in both the Family Systems Theory and the Ecological Systems Theory, as described in chapter three which is the premise of this study. This is concluded on the basis that pragmatism views knowledge and communication to be both used for function and transactions between individuals and their environments (Hoffman & Kruczek, 2011:3; Hooper, 2007:230).

6.4.1 Qualitative approach

The most distinguished principle of qualitative research is that it relies on linguistics (words) to describe a situation rather than numerical data and it is often meaning-based, rather than statistically supported (Nieuwenhuis, 2016a:53). Furthermore, it is important to remember that all qualitative research focuses on natural settings where interaction occurs, viewing social life in terms of processes that occur rather than in statistic terms. This brings the researcher to the significance of qualitative research in this study: "What factors influence the implementation of parenting plans that divorced parents use?" Berg (2007:7) explains that qualitative research is most often used when researchers seek answers to questions by examining various social settings, but also explore the individuals' experience of these settings. In the first (qualitative) phase the researcher was interested in the parents' experience of their own parenting plans that were used post-

divorce and the effectiveness thereof in practice. Through a search done in EbscoHost and on other search engines, the researcher found that South African literature on the implementation of parenting plans after divorce is still limited, since research on this topic is limited in the South Africa context. This limitation is addressed with the exploratory study and information on the specific topic was obtained from parents who made use of a parenting plan after divorce, whether successful or not. At the heart of this study (qualitative approach) lies the extraction of meaning from data. In this study, the researcher was interested in the social meaning individuals attribute to their experience, circumstances and situations.

This study is also descriptive in the sense that it describes the experience of the participants in the use of their parenting plans in practice. The aim of the researcher was to intensively study the experience of divorced parents and the views of professionals on the use of parenting plans in South Africa and to examine the factors that might influence the implementation of such, to give a deeper meaning thereof and to obtain a broader description of this phenomenon. Nieuwenhuis (2016a:54) explains that within a descriptive research design the researcher usually aims to describe some group of people or phenomena or entities. This research study will also be exploratory in nature, as the researcher will explore the key issues and key variables that would give her a greater understanding of the phenomenon of divorcing parents' experience of their parenting plans in social settings. With this first (qualitative) phase the researcher aimed to build a new understanding of divorced parents' experience of their own parenting plans. Babbie (2011:36) underlines the aim of this approach is to reach an in-depth understanding of the phenomena.

6.4.2 Quantitative approach

Quantitative research investigates the relationship between variables that a researcher seeks to find (Creswell, 2014:4). Quantitative research is a process that follows a systematic and objective approach, it uses numerical data from selected subgroups of a universe (population) to generalise the findings to the universe that is under investigation

(Maree & Pietersen, 2016:162). The quantitative approach was used in the second phase of the study. Based on the findings of the first phase and the literature study, the researcher developed a questionnaire that the respondents had to complete. The respondents were social workers, psychologists, attorneys, advocates, family advocates and mediators. A statistician and a research assistant from the Department of Statistics, from the North West University assisted with the data analysis. The quantitative approach was appropriate as the objective was to explore the extent of the problem, issue or phenomenon (Kumar, 2005:12). The researcher explored the views of the professionals in practice on the implementation of parenting plans and explored their recommendations for what they considered effective parenting plans to be to be used as further qualitative data.

6.5   TYPE OF RESEARCH

Applied research can be defined as the systematic search for solutions to practical problems of the modern world. This study is applied research since the researcher explores the factors that influence the implementation of parenting plans during parental divorce, where the knowledge obtained is used to formulate guidelines to assist families with the implementation of parenting plans (Babbie, 2015:27; Maree, 2016:9). The research study is exploratory and descriptive (Babbie, 2015:67). Even though parenting plans have been introduced in the South African Children's Act 38 of 2005, the researcher aimed to understand the factors that contribute to the implementation of the formulated parenting plans. Based on the outcomes of the study, the researcher drafts guidelines for practice when compiling parenting plans during divorce for parents with children in middle childhood.

6.6   RESEARCH DESIGN

The researcher used an Exploratory Sequential Mixed Methods Design. Creswell (2014:225) explains that the Exploratory Sequential designs do not use an explicit advocacy lens. In these designs, qualitative data are collected and analysed first, followed

by quantitative data. Quantitative data are used primarily to augment qualitative data. Data analysis is usually connected, and integration typically occurs at the data interpretation stage and the discussion. Creswell (2014:211-212) mentions that these designs are useful for exploring relationships when study variables are not known, refining and testing an emerging theory, developing new psychological test/assessment instruments based on an initial qualitative analysis, and generalising quantitative results to a specific population.

The sequential exploratory strategy has several advantages (Creswell, 2014:212). The two-phase approach, using the qualitative research themes and categories to develop the quantitative measurement instrument can assist with the implementation and description. Using both the approaches proved beneficial. As the researcher wanted to explore the implementation of parenting plans in South Africa, which is a relatively new concept with limited research, using both approaches, valuable insight was gathered and expanded by the professionals' views. The views of the parents on parenting plans thus assisted to develop a data collection instrument for professionals to strengthen the findings. Although the design places emphasis on the qualitative aspect, the inclusion of the quantitative component can contribute to the validity and reliability of the data. Using the mixed-method approach, more insight and understanding could be gained about parenting plans in South Africa, than when only a single approach would be used.

During this study, the researcher commenced with the qualitative phase, making use of a collective case study (interviews with participants) and then the quantitative phase which was the non-experimental design (survey amongst professionals) that built on the findings of the initial phase. The data gathered in the two phases was integrated into a three-phase procedure with the first phase as exploratory, the second as instrument development and the third when the instrument was administered to a sample of the population (Creswell & Plano Clark, 2007:85).

The researcher asserts the chosen research design was suitable for this study as this method strengthened the validity of constructs, scale development and indicators. The researcher also deemed this the best way to collect data on sensitive topics like parental

divorce and compiling a parenting plan. It was important to explore the social challenge in-depth and therefore data was collected by using both qualitative and quantitative methods. By using the mixed methods more patterns were identified, and the statistical analysis would provide even clearer patterns. Finally, as researcher, the different patterns within implementing parenting plans in parental divorce were identified and understood. In this regard, both the qualitative and quantitative data combined provided a better understanding of the research problem and whether enough information was collected.

6.6.1 Qualitative research design

During the first (qualitative) phase the researcher made use of the case study design. The researcher deemed this as appropriate because the situations in which the intervention that was evaluated have no clear, single set of outcomes (Nieuwenhuis, 2016b:82). The collective case study enabled the researcher to explore differences within and between cases. This was relevant as the researcher was interested in those factors that had an influence on the implementation of parenting plans in South Africa. Yin (2009:14) remarks that qualitative research may be time-consuming. The researcher interviewed participants in the greater Gauteng area and therefore it was demanding due to long hours of fieldwork.

6.6.2 Quantitative research design

During the second (quantitative) phase the researcher made use of a survey. This is probably the most widely used non-experimental research design. According to Maree and Pietersen (2016:171) non-experimental designs are mainly used in descriptive studies, when the units selected to participate are measured on all the relevant variables at a specific time – which means that no manipulation takes place. The researcher decided on the use of a survey (questionnaire) to obtain quantitative information to describe/explore the use of parenting plans by different professionals. The second (quantitative) phase built on the findings of the initial database gathered by the qualitative phase and the data was analysed into a questionnaire and administered to the sample of professionals. In the present study a questionnaire was completed by professionals

working with divorced families and parenting plans in practice. The researcher considered mixed methods approach appropriate due to the way in which the two phases complemented each other in terms of rich data and information. The details of the empirical quantitative findings are discussed in chapter 8 of the study.

6.7 RESEARCH METHODS

This section includes the study population, sampling, data collection, data analysis and the pilot study for both the qualitative and quantitative methods.

6.7.1 Research population and sampling

The researcher made use of non-probability sampling, seeing that it would not include any form of random sampling (Maree & Pietersen, 2016:197). Two specific types of non-probability sampling were used: firstly, it was convenience sampling for the participants who were accessible and secondly purposive sampling as the participants would be selected on the basis of having all the characteristics of interest to the researcher (Maree & Pietersen, 2016:197-198). Through purposive sampling the researcher made the necessary judgement with regards to the selection of the participants for the study.

6.7.1.1 Qualitative phase

For the qualitative phase the researcher will concentrate on the study population and sampling method.

* Study population

For the **first phase** of the study (qualitative phase) the population of this study included families who experienced divorce during the last three years, with children in middle childhood (6-12 years) and who made use of parenting plans during their divorce. The families that participated in the study all came from the Gauteng Province, particularly the West Rand. The families were drawn from the database of professionals and as identified

from their practices based on their subjective judgement and the criteria identified by the researcher. After obtaining permission from the individuals the professionals emailed lists with contact details to the researcher. The researcher contacted the individuals and before starting the interviews, written consent was obtained from all individuals. The participants were selected from two diverse types of groups: divorced parents using parenting plans with great attainment and with divorced parents whose parenting plans did not work at all.

The study was designed to explore the experiences of two groups of divorced parents. The first group consisted of parents who represented divorcing families who made use of a parenting plan during and after divorce with great attainment. The second group also consisted of parents who represented divorcing families and the parents who felt that their parenting plan had no accomplishment at all during their divorce. The sample size for this study solely depended on the purpose of the investigation and what the researcher wanted to obtain, but also what had credibility. Authors (Bowen, 2008; Corbin & Strauss, 2008; Creswell & Plano Clark, 2007) agree that a researcher should keep data saturation in mind up to the point where data collection should be concluded when no additional information can be gathered. More time should rather be spent during the interviews to ensure all possible data have been collected to be analysed.

* **Sampling method**
The researcher chose families by using purposive sampling where the odds of selecting an individual was not known and each unit in the sampling frame did not have an equal chance of being selected for the study (Strydom, 2011b:231). With the total number of divorces in South Africa at the end of 2016 indicated as 25 326 (Statistics South Africa, 2018:6-7) including 55,6% with children in this number, not all could be included in the study. Therefore, purposive sampling was used to select individuals with children in middle childhood with experience of divorce and parenting plans. The researcher was looking towards people who fitted the criteria of most suitable participants for the study. The sampling criteria for this study included the following characteristics:

- Twenty (20) parents residing in Gauteng that went through a divorce in the last three years that successfully made use of a parenting plan.

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- Twenty (20) parents residing in Gauteng that experience their parenting plan was not successful.
- Parents who had children in middle childhood at the time of drafting the parenting plan.
- Parents who could speak English and/or Afrikaans.
- Parents could or could not be from the same family (divorced couple).

Professionals such as lawyers, advocates, psychologists and social workers identified parents from their caseload, who adhered to the criteria, and contacted them for voluntary participation. After obtaining consent, their detail and contact numbers were forwarded to the researcher. The researcher contacted all the individuals requesting their cooperation with regards to the empirical research. Before the interview all individuals gave written consent and understood that their participation was voluntary and confidential.

6.7.1.2   Quantitative phase

* Study population

The population in this phase consisted of professionals and included advocates, lawyers, psychologists, mediators and social workers who in practice work with or have extensive knowledge of parenting plans, divorce and families with children. For the second phase, the researcher as a practitioner, has met many professionals working in the sector of families and divorce. After working in the field of Social Work for the past 18 years and training as a divorce mediator, valuable relationships with professionals were formed. These professionals include social workers, psychologists, lawyers, advocates, five mediators and Commissioners of Child Care in courts. The researcher approached the professionals to volunteer as research respondents. The researcher anticipated to include a total of one hundred (100) professionals in the study sample, but in the end only eighty-one (81) completed the questionnaires. Initially the researcher planned to only use professionals residing in Gauteng, but due to a small amount of feedback, the other provinces were added.

* Sampling method

The researcher made use of purposive sampling, because of the specific purpose in mind that was to be explored (Maree & Pietersen, 2016:198). Purposive sampling was done to include as many professionals as possible working in the field of divorce and parenting plans. The criteria that the researcher envisaged were:

- Social workers, psychologists, lawyers, family counsellors, family advocates and advocates involved in handling divorce cases in the Gauteng Province. Unfortunately, feedback from the professionals in Gauteng was not sufficient and only 31 completed the questionnaire. Due to the poor feedback the researcher then made use of the accidental sampling method – "a convenient, availability sample and respondents being most easily available." (Rubin & Babbie, 2005:245). The researcher then contacted the SAAM (South African Association of Accredited Mediators) and FAMAC (Family Mediators Association of the Cape) to obtain detail of accredited mediators. These professionals were then included in the study.
- Professionals involved in compiling parenting plans for the past five years.
- Professionals working with divorcing families with children in middle childhood,
- Professionals proficient in English.

The following points that will be discussed are the methods of data collection.

6.8   METHODS OF DATA COLLECTION

Nieuwenhuis (2016b:74) explains that methods refer to the tools that the researcher uses to collect data, and these specific tools enable the researcher to gather data about social reality from individuals. Mixed-methods research intentionally combines different tools and techniques to gather, structure, analyse and interpret quantitative and qualitative data (Creswell, 2009:15). The mixed-methods approach can answer questions, which other methodologies in isolation cannot. An example is in the investigation of validity issues, which is a complex task (Tashakkori & Teddlie, 2003:6), As the researcher made use of mixed method research the collection of data will be discussed in their separate headings.

6.8.1 Qualitative data collection

The goal of this study led the researcher to select interviewing as the most appropriate data gathering method, as this is the dominant method of data collection in qualitative research. The interviews were semi-structured and designed to explore the extent, nature and quality of the participants' thoughts and feelings about the use of parenting plans during/after divorce and whether it assisted with the adjustment of children after the divorce (Greeff, 2011:230). The main advantage of qualitative interviewing for this study was that it let the researcher explore the rich context participants had to offer. Babbie (2011:305) adds semi-structured interviews are flexible and continuous and are not rigid.

For the interview process the researcher made use of an interview schedule that guided the direction and ensured a flow and therefore questions were answered more directly. Questions were pre-selected according to themes arranged after the literature study. Participants were interviewed individually, and the complete interview was recorded with the permission of participants. During this study, where the researcher alone conducted the semi-structured interviews, it ensured a cross-case comparability (Maree et al., 2016:93). The interviews were recorded to assist in the data analysis process. For the first phase, a qualitative analysis of interview data was done to identify and define factors related to the implementation (using) of parenting plans in South Africa.

The researcher decided to make use of interviews because it has several advantages (Babbie, 2015:302; Creswell, 2014:191; Greeff, 2011:342-343). The semi-structured interviews gave the researcher the opportunity to be attentive of the responses. The interview allowed the researcher to interact with the participants and created an opportunity for clarification. With the interview with the parents the researcher could formulate the questions in the appropriate manner for the sensitive topic of parental divorce. During interviews, information with regards to the divorce was exchanged and the concepts of parenting plans created new lines of inquiry, which made it flexible. Divorce is a very sensitive, private and emotional issue and the researcher's ability to

control the environment assisted with the participant's ease. The researcher was able to add depth to the method to collect data of the process of the parents during their divorce and restructuring of the family.

The following limitations (Babbie, 2015:302; Creswell, 2014:191; Greeff, 2011:342-343) with interviews should also be recognised. One weakness of this type of data collection is that the personal interpretations and the involvement of the researcher may lead to information being biased. The researcher, after receiving the names and contact detail of parents from professionals, contacted all the individuals to obtain permission for the interview and explained that it was voluntary, and that all information would be treated with confidentiality. However, the researcher established rapport easily and participants were eager to share information, which prevented the researcher from bringing in her own bias and pre-set expectations and the participants being influenced by indirect information as viewed by the researcher. The researcher used her skill to listen actively and be interested in the participants' views around the topic. Because interviews can be intimidating and stressful, the researcher conducted some interviews in the comfort of the participants' homes. The researcher was confident that interviews as data collection method provided a rich, contextual, descriptive and interchangeable views of parents with regards to divorce and the use of parenting plans. The subject of divorce/is an issue loaded with emotions, however the feelings and human interaction gained with the interviews were valuable. The researcher started all sessions explaining that the interview would be recorded for transcribing purposes and that participants could decide to withdraw at any stage. Written permission was obtained before the interviews started.

6.8.2 Quantitative data collection

The quantitative phase consisted of a questionnaire for a sample of 81 professionals who meet the sample criteria. The questionnaire was hand delivered to the respondents in the greater Gauteng area, as this might have had a positive influence in the feedback or response rate. The questionnaire was emailed to the respondents in Western Cape, Free State, and Northern Province and in further areas of Gauteng. Based on the information

provided by Creswell (2014:159), Maree and Pietersen (2016:176), and Delport and Roestenburg (2011:188) the researcher decided to make use of questionnaires because of the following advantages: they are quick to administer, it would be useful for the screening of the large number of respondents, little administration is needed, information collected is statistically-based and therefore more evident, a representative sample is highly possible, questions are standardised throughout, respondents can take their time and overthink their responses, the procedure is low cost and if properly piloted the questionnaire can be used in other studies.

The researcher noted the disadvantages of using questionnaires, but it was the most suitable for the substantial number of professionals in the sample. The quantitative data was then coded using edge coding, by far the easiest way to hand-code verbatim responses. The coded questionnaires were hand delivered to the Statistics Department at the North West University for a comprehensive analysis.

6.9   DATA ANALYSIS

Data analysis in mixed-methods research relates to the type of research strategy chosen for the procedures. In this study, analysis occurs both within the quantitative (descriptive and inferential numeric analysis) and the qualitative (description and thematic text or image analysis) approaches and often between the two approaches. Qualitative and quantitative data analysis will be discussed in their separate slots.

6.9.1 Qualitative data analysis

In this part of the study the qualitative data analysis was conducted to analyse data collected through the semi-structured interviews, which were individually audio recorded and transcribed immediately after the data was gathered. The researcher also did a qualitative data analysis of certain open-ended questions of the structured questionnaire. A pool of survey items was developed for each category based on the literature study. The questionnaire consisted of Likert scale questions and semantic differential scale

questions. Agreeing with Creswell and Plano Clark (2011:532), the researcher paid attention by following the next steps: the researcher started the process with **organising and preparing** the data by organising the transcribed interviews. The qualitative data from the semi-structured interviews was analysed by means of thematic analysis. Thematic analysis refers to the identification of certain patterns or themes evident in several phenomena. The researcher started preparing and organising the data by listening to the audio taped interviews that were done. The typed field notes and the typed transcripts were used to separate significant information from unrelated information. The researcher ensured the quality of transcripts by reading the final transcripts while listening to the recordings. The researcher made use of a sifting process to separate the data, identifying important patterns and assembling a structure for communicating the core of what the data revealed. Creswell (2014:225) calls this process exploring data when a researcher reflects on the larger thoughts presented in the data to generate initial categories, themes and patterns. In the planning, for recording of data, the researcher obtained informed consent from participants. Information in the informed consent letters included the research title, the purpose of the study and a complete description of the project. The risks of participating in the study were outlined and participants were assured that assistance, if needed, was available. The researcher made sure that all participants involved knew that it was on a voluntary basis and where the records would be kept.

During the interviews, the researcher wrote down specific themes and notes that presented themselves to her in the left-hand side margin of the interview schedule. Through this process the researcher analysed data in the field during collection. The data was analysed away from the field by organising data, typed and stored in special file folders and computer files.

After comparing field notes and typing transcripts of all the interviews the researcher started a detailed analysis with pre-determined codes. Coding is the process of organising the material into chunks or segments of text before bringing meaning to information (Creswell, 2014:228). Text data gathered during data collection, segmenting sentences (or paragraphs) or images was divided and labelled into categories with a term as used in

the actual language of the participant. The researcher further enhanced the accuracy of the field notes and the transcriptions by means of additional analysis by ensuring that data was easily retrievable, ensuring that the transcribes were captured correctly, making backup copies of all data collected and creating external backup systems from the computer files.

The researcher then started reducing the data by reading the transcribes and field notes and written data. The process of identifying themes was used to determine grounded categories of meaning identified by study participants. The researcher then made use of coding to generate a small number of themes or categories as these themes are the ones that appear as major findings in qualitative studies. The researcher made use of assorted colours to identify themes. These themes were used to create headings in the findings sections of the study that follows; the themes displayed multiple perspectives from individuals, some that are supported by diverse quotes and specific evidence. Schurink et al. (2011:410) explain that the process of identifying themes, that link people and settings together, is part of reducing the collected data to small manageable units to in the end write the final narrative.

The researcher used narrative passage to convey the findings of the analysis. Schurink et al. (2011:416) mention that while the researcher discovers themes and patterns in the data, the researcher should scrutinise the data for patterns that might seem to be obvious. During this process the researcher searched for explanations for the data and linked the most suitable. The researcher made sure that the qualitative data that she transcribed, and field notes were captured correctly, and no detail missed. The following step was to make sense of the data. In this study the researcher compared similar responses to identify realistic themes. The researcher then started the process of presenting the data visually where the chronology of events, the detailed discussion of several themes (complete with sub-themes, specific illustrations, multiple perspectives from individuals, and quotes) or a discussion with interconnecting themes were presented. Schurink et al. (2011:418) maintain the data should be presented as a package and that a visual presentation is of immense value. The researcher uses visuals, figures or tables as

adjuncts to the discussions of descriptive information about each participant. The researcher at this stage stated each theme as a heading in a table under which a list of all or some of the responses reflect that theme.

During the last step, the researcher made interpretations or meaning of the data. The researcher interpreted and developed typologies or systems for categorising concepts to make sense of the data gathered. Schurink et al. (2011:410) maintain that theme or category formulation represents the heart of qualitative data analysis. The researcher took a step back to form a broader opinion of what is going on in the data. These opinions were based on the researcher's personal interpretation, embedded in the understanding that the inquirer brings to the study from her or his own culture, history and experiences. It could also be a meaning derived from a comparison of new findings with information gathered from the literature or theories. In this way, the findings confirm past information or diverge from it (Creswell, 2014:235). Validation of findings occurs throughout the process of the research as described in the previous discussion (Creswell, 2014:235).

Finally, the researcher wrote the research report in which the study was contextualised with literature for control and integration and relevant direct quotes were used to verify descriptions (Maree, 2016:122), as follow in the next two chapters of the research report.

6.9.2 Data verification and validation

Trustworthiness is of the utmost importance in qualitative research and is the acid test of data-analysis, findings and conclusions (Nieuwenhuis, 2016c:122). Trustworthiness of data for this study was ensured through the model of Guba (1981:75) and by using the following four concepts: credibility, transferability, dependability and confirmability. **Trustworthiness** in qualitative research refers to the level of credibility of the findings of the study, the transferability of the findings to other settings, the dependability of the study with the same participants in the same context and the degree in which the objectiveness of the findings was reflected (Nieuwenhuis, 2016c:123). Firstly, the researcher made use of an interview schedule with guided questions asked to all participants. The researcher

made use of **triangulation** as a source of credible data by examining evidence from the participants and using it to build themes. The researcher collected information about different events and relationships from different points of view and represents a reinterpreted understanding of the phenomenon under study. This means that the researcher asked different questions, seeking various sources by conducting interviews with different participants. The researcher kept in mind that further triangulation would take place due to both qualitative and quantitative data to be used. Peer debriefing was also used where the researcher made use of a peer not directly involved in the research, for debriefing. Lietz and Zayas (2010:196) emphasise that peer debriefing involves consulting with colleagues' experiences in qualitative methodology by discussing the research process, procedure and decisions. Peer debriefing assists the researchers to become more sensitive, to generate innovative ideas and to identify pitfalls. The researcher had numerous interactions with researchers, discussing the process and identifying consequences that could possibly arise during the research process. Discussions with professionals working in the field of divorcing families and parenting plans were also done to gain better insight and experience in the challenges these families have during the divorce process. **Member checking** was used to determine the accuracy of the qualitative findings where the final themes were taken back to a group of participants to determine the accuracy.

In a qualitative study, **transferability** refers to the extent to which the findings can be applied in other contexts or with other respondents (Babbie & Mouton, 2001:277). Through rich and thick descriptive writing, the researcher attempted to allow the reader to enter the research context and to enhance transferability (Maree, 2016:124). During thick transcriptions the researcher focussed on similarities between sending and receiving context, allowing for detailed and precise report. Transferability was further enhanced using purposive sampling which involved purposely selecting locations and informants that differ from one another.

The use of an **audit trail** in this study required that the researcher kept a detailed written account of the research procedures that was followed. The audit trail clearly described the

steps the researcher took and will be open to critique by the research community (Lietz et al, 2006:449). In this study the researcher did a **conformability** audit trail which involved a review of raw data, data reduction and analysis and data reconstruction. **Method triangulation** ensured that the researcher followed all the steps during the mixed method design and the consistency of the process and data collection would be assured.

In this study the researcher made use of an **inquiry audit** where an independent researcher examined documents and critically studied the interview notes to attest to the dependability of the enquiry (Lietz et al., 2006:451). The independent researcher was aware of confidentiality, but no identifying information was connected to interview notes and transcripts.

6.9.3 Quantitative data analysis

The researcher firstly coded the data on the questionnaires and the questionnaires were then hand delivered to the Statistical Department of the North West University for capturing on their computer with the Statistical Package for Social Science (SPSS), version 22.0. The qualitative data analysis started with the respondents completing the questionnaires, the completed questionnaires were copied for security of original forms, data were coded, processed and organised to arrive at findings, conclusions and recommendations were then made. The statistical analysis was done by a statistician and consultant of the North West University at the Potchefstroom campus. Consultations between the statistician and the researcher took place to agree upon the data that was needed for the study and to establish the necessary cross-tabulation that would be proper pertaining the data collected. The Statistical Department of the North West University was consulted throughout the analysis and statistical support to process and analyse the data from the questionnaires. The qualitative data was further analysed by means of descriptive statistical analyses and is presented by means of percentages, charts, graphs, tables and frequency distributions.

According to Pietersen and Maree (2016:204) the raw data needs to be analysed through a process called descriptive statistics – a collective name for several statistical methods used to organise and summarise data in a meaningful way. Advanced statistical analysis included doing reliability tests, cross tabulation in terms of professions, experience, different variables among respondents and doing the Fisher's exact tests.

In the current study the Fisher's exact test was applied to determine statistical significant associations between variables such as profession, experience and opinion of respondents on the process of drafting a parenting plan. The Fisher's exact test was "used as an alternative to the chi-square test to examine the significance of the association between two nominal variables in the special situation where both variables have two categories and the sample size is relatively small" (Pietersen & Maree, 2016:277).

A confidence interval is a way of utilising an interval to estimate the population parameter. There are three commonly used confidence levels, namely 90%, 95% and 99%. In the present study the most common 95% level of confidence was utilised, thus $p \leq 0.05$. The Fisher's exact test is a very common test used in clinical trials, where the samples usually consist of small numbers of respondents, as this part of the research only include 81 respondents. According to Pietersen and Maree (2016:277) the Fisher's exact test can only be performed using a 2x2 cross-tabulation table. The same hypotheses are tested as in the case of the Chi-squared test, namely:

H_o: the variables are independent
H_1: the variables are dependent

No test statistic is calculated, only a p-value which is used to draw the necessary conclusions, and in the current study the p-value for the Fisher's test was set at >0. In the current study the correlation between training in parenting plans and the different professions, the experience in divorce/parenting plans/drafting parenting plans and the professions, the factors that the professionals regard influence the parenting plan and professions, attendance of sessions and the professional's opinion, the use of a

template/questionnaire in the drafting of parenting plans and professionals, education of parents and professionals and whether the writing of parenting plans must become a specialized field and the opinion of professionals were statistically tested.

6.9.4 Data validation and reliability

In the analysis of the questionnaires, the following applied in terms of validity and reliability:

- **Validity**

According to Pietersen and Maree (2016:239) "the validity of an instrument refers to the extent in which it measures what it is supposed to measure". Other researchers (Babbie, 2008; Golafshani, 2003; Joppe, 2000) see validity as that the research truly and adequately measures that which it was preconceived to measure. The researcher sees this as how truthful and honest the research findings are. During this study of parental divorce emotions would be involved when professionals draft a parenting plan, therefore it would be difficult to measure human emotions. According to these researchers, validity can be obtained in two ways, namely external and internal validity. During external validity the researcher needs to determine how to apply the findings to other people or situations, to obtain the same findings under the same conditions (Joppe, 2000 and Roberts et al., 2006). Babbie (2008:160) refers to the external validity as "face validity"; when the variables seem to be reasonable under the same circumstances despite the individual take on the subject.

Pietersen and Maree (2016:240) state that the instrument itself should look valid; in other word does it measure what it is said to measure. The researcher tends to establish "face validity" by consulting other researchers on the survey questionnaire on parenting plans during divorce. Before administering the questionnaire, the researcher asked experts in the field of parenting plans to read the content and see if they agree on the construction of the questions regarding parenting plans.

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Internal validity explains the reason for the result of the study. Babbie (2008) and Pietersen and Maree (2016) identify three ways to establish internal validity: content validity, criterion-related validity and construct validity. Babbie (2008:161) introduces this to be the explanation of the meanings to specific concepts. Content validity could be identified during the pilot study, simply by evaluating whether the people identify the same attitudes towards parenting plans. Before the researcher started the research, the questionnaire was sent to two expert professionals, one social worker and one attorney, to scrutinise whether the questionnaire was understandable and to determine the high degree of face and content validity. Changes were made after constructive feedback and the questionnaire was ready for distribution. Furthermore, the researcher used the literature study to support the relevance of the questions in the questionnaire to the topic studied.

The Research Ethics Committee of the Faculty of Humanities and the research supervisor scrutinised the questionnaire to enhance its face and content value based on their expert judgement before the research instrument was approved and implemented.

● **Reliability**

For an instrument to be reliable it means that if the same instrument is used at various times or administered to different respondents from the same population, the findings should be the same, thus repeatable and consistent (Pietersen & Maree, 2016:238). Roberts et al. (2006) define reliability as the ability of the questionnaire (tool) to obtain the same findings in different circumstances. There are four types of reliability, namely: test-retest reliability, equivalent form reliability, split-half or split-halves reliability and internal reliability. The researcher divided the items of the instrument into two groups, to form two separate instruments. The items were randomly assigned to two instruments. The scores on these two separate "half instruments" were compared by means of a correlation coefficient. The coefficient that is used to measure the internal reliability of an instrument is called **Cronbach's alpha coefficient** and is based on the inter-item correlations (Pietersen & Maree, 2016:239). Guidelines for the interpretation of Cronbach's alpha

coefficient have been proposed and the following seem mostly accepted as identified by Pietersen and Maree (2016:239):

- 0.90 – high reliability
- 0.80 – moderate reliability
- 0.70 – low reliability

The researcher is aware that the research process should be extremely thorough and careful. After working through the literature on the rigor demonstrated and communicated in research, the researcher realised that the only way of being thorough during the quantitative research would be to subject the questionnaire to reliability and validity. The researcher has identified that the questionnaire used was reliable, as proof in chapter 8.

6.10   PILOT STUDY

Kumar (2005:10) explains that all studies should have a feasibility study or pilot study to determine its feasibility, especially when researcher explore new grounds or grounds his/her knowledge are limited in. The researcher belief that a pilot study is a crucial element of a successful research design.

6.10.1 Qualitative phase

The pilot study was conducted in the same manner as the main investigation, but with only two participants. The two participants were from Gauteng and were identified by social workers in private practice specialising in parenting plans. These participants and data collected from them were not included in the main study. The researcher gained enough detail about the resources, the field in which the study will take place, the research population, the accuracy of the data collection, the data gathered itself and the possible mistakes that might be involved. The participants' comfort towards the questions asked, the voice recordings' clarity and suitable locations were identified. The interview schedule for the semi-structured interviews was tested (Strydom, 2011c:239). The participants commented on the wording of questions, the sequence, possible redundant/missing and

confusing questions. All misunderstandings and uncertainties were clarified and corrected before the main investigation.

6.10.2 Quantitative phase

During this phase the researcher used two professionals (one social worker and one attorney) who completed the questionnaire as part of a pilot study. The professionals had the same sampling criteria as those for the study. These professionals, after scrutinising the questionnaire and completing it themselves, made comments on the questions, the structure and the focus of the study. After the pilot study the necessary changes were made, and the questionnaire was sent for ethical clearance.

6.11   ETHICAL CONSIDERATIONS

Research involves collecting data from people, about people. There are many ethical issues in relation to participants of a research activity. Researchers need to protect their research participants always and should develop a relationship based in trust with them (Maree, 2016:44). Research should promote integrity and guard against misconduct. Babbie (2011:65) explains that all professions are guided by a code of ethics that has evolved over the years to accommodate the changing ethos, values, needs and expectations of those who hold a stake in the professions. There are certain behaviours in research such as causing harm to individuals, breaching confidentiality, using information improperly and introducing bias that are considered unethical in any profession (Kumar, 2005:210).

Sarantakos (in Creswell, 2009:88) states that: "developing the purpose statement or the central intent and questions for a study, proposal developers need to convey the purpose of the study that will be described to the participants". Babbie (2011:65) links deception to the process when participants understand one purpose, but the researcher has a different purpose in mind. During both the phases of this study the researcher explained the aim and purpose to all participants verbally and when informed consent was obtained in

writing, the purpose was again explained before the participants signed the consent form. This entire research project and all the aspects pertaining to it had to run its course in an ethically correct manner. During the interviews with the parents the researcher took time to explain to all participants the impact of the investigation, the use of all information gained in the study and whether any harm might be caused. The researcher clearly informed all participants that harm towards them would be avoided at all cost, but if any trauma or emotional stress may accrue, a psychologist would be available to assist them. During the quantitative phase the researcher attached the informed consent with the questionnaire in the email and highlighted the matter of ethical principles to all professionals.

6.11.1 Avoidance of harm

As the researcher started with the process of data collection, it was clear that all participants had to be respected and the sites for research had to be private to ensure confidentiality. Many ethical issues arose during this stage of the research, such as not to put participants at risk and to respect vulnerable populations (Babbie, 2011:68). Creswell (2014:92) emphasises that a researcher should assess the potential for risk, such as physical, psychological, social, economic, or legal harm, to participants in a study. The researcher did everything possible to prevent any form of harm but acknowledged that the topic at hand could easily cause psychological and emotional harm to the participants. The risk was therefore identified beforehand, and the researcher explained that if any form of emotional distress was noted, arrangements have been made with a practising psychologist, Ms L. Rossouw, to assist with intervention of possible harm caused during the study.

6.11.2 Voluntary participation

The participants signed the informed consent that all rights belong to the University. On the consent form, it clearly indicated that participation is voluntary and that all participants have the right to withdraw with immediate effect (Creswell, 2014:97). All participants knew

that they could withdraw from the study at any time with no negative consequences. The researcher drafted two different consent forms for the families and the professionals respectively. The individuals were informed that the interviews would be recorded, and it was stipulated in the signed consent form. Creswell (2014:92) emphasises that a researcher should assess the potential for risk, such as physical, psychological, social, economic, or legal harm, to participants in a study. The informed consent form included the topic of the study, the goal of the study, information on data storage, the use of a digital recorder and that participation in the study was entirely voluntary. Participants were informed that there was no financial compensation and that their only gain would be to assist other parents.

6.11.3 Informed consent

The **informed consent** form provided sufficient information on the study and was signed by every participant before engaging in the research. This protected participants' rights during data collection (Creswell, 2014:95). Creswell explains that negotiation on authorship for publication needs to be done for participants to understand their contribution. The researcher made it clear that participation was voluntary and gave the participants the opportunity to withdraw. Babbie (2011:70) reminds researchers that the proposal might mention this issue of ownership and discuss how it will be resolved, such as through the development of a clear understanding between the researcher, the participants, and possibly the faculty advisers. The signed consent was done on a letterhead of the University of Pretoria, which clarified the ownership of the research project.

6.11.4 Deception of subjects and/or respondents

Creswell (2014:95) mentions that deception refers to the intentional misleading of participants or withholding certain information from them. During the interviews the researcher took time to clarify all uncertainty around any questions. From the start the researcher explained to all the participants that the only benefit of this study would be one

of assisting other parents and professionals in the process of drafting parenting plans. The other benefit was that of future academic reference or use for further studies. The informed consent forms were both clear on the goal of the study.

6.11.5   Violation of privacy/anonymity/confidentiality

Creswell (2014:99) explains the biggest challenge surrounding the concept about confidentiality as that some participants may want to have their identity remain confidential. Babbie (2011:70) explains that once the participants have the right to confidentiality, the researcher allows them to retain ownership of their opinions and exert their independence in making decisions. They need to be well informed about the possible risks of no confidentiality, the inclusion of data in the final report and information that invades the rights of others that should remain hidden (Strydom, 2011a:117). The researcher ensured confidentiality and privacy by linking the participants to a specific number. An identification file with participants' names was created and will be handled with the utmost confidentiality, used by the researcher only. The researcher explained to the participants that the University would also maintain confidentiality. The interviews were done in privacy and although the researcher knew the identity of the participants, their identifying information will not be known to the University. Kumar (2005:210) states the importance to protect the identity of all participants. Anonymity can thus not be guaranteed for the participants in the qualitative part of the study, but the researcher can guarantee anonymity for the quantitative data collection (Creswell, 2014:99).

6.11.6 Debriefing of participants

Debriefing of research participants is essential for ethical research and this was done by acknowledging the availability of a psychologist if needed. All other work of researchers was acknowledged, and no false data was used. Participants signed that they understood that the findings of the study may be published in academic journals and/or dissertations. According to Johnson and Christensen (2008:126) debriefing should be an active process that the researcher will undertake, including discussing the purpose of the research and

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the way in which the study was done and being available to answer any questions that participants may have. Strydom (2011b:122) adds, "…after completion of the project, the researcher has to rectify any misperception that may have arisen in the minds of participants." After the interview was completed, the researcher conducted a debriefing session with each participant where they could talk about their experiences and feelings about participating in the interview (Creswell, 2014:99). This aspect was included in the written consent forms that was given to participants.

6.11.7 Action and competence of the researcher

The competency of the researcher was motivated and the end goal of publication of the findings was explained. The researcher also explained that she was ethically obliged to ensure that she is competent, honest and adequately skilled to undertake the study. Previous studies as a postgraduate student in the Department of Social Work and Criminology at the University of Pretoria were explained. The researcher has eighteen years' experience as a social worker and has a private practice that specialises in divorce mediation and intervention with children. She completed training in Divorce Mediation and the Children's Act 38 of 2005 and successfully completed a master's research study at the University of Pretoria in 2007. The researcher is competent to do interviews and take field notes. The researcher followed the goals and objectives set in the planning for the research study, to keep the research question in mind. This research study was conducted under the close supervision of an experienced researcher at the Department of Social Work and Criminology, University of Pretoria.

6.11.8 Publication of the findings

The ethical issues do not end with data collection and analysis; issues apply as well to the actual writing and dissemination of the final research report. Creswell (2014:99) reminds all researchers to discuss how the research will not use language or words biased against persons because of gender, sexual orientation, racial or ethnic group, disability or age. Researchers (Babbie, 2011:493; Creswell, 2014:99; Plano Clark & Creswell, 2008:77;

Strydom, 2011b:66;) suggest the following on writing the research report: Firstly, present unbiased language at an appropriate level of specificity; secondly use language that does not label anybody and lastly acknowledge individuals in a study by using the word "participant". The researcher was very careful not to add or leave out valuable information of the findings to promote the needs identified in the literature study or in practice, as it would have been unethical.

Fraudulent practices are not accepted in professional research communities, and they constitute scientific misconduct (Maree et al., 2016:123). It is important to release the details of the research with the study design so that readers can determine for themselves the credibility of the study (Maree et al., 2016:123). Research findings are published in the form of a doctoral thesis according to the specified guidelines of the Department of Social Work and Criminology at the University of Pretoria. Research findings will be published in a scientific journal and may be presented at symposia/conferences and staff training. The researcher explained that analysed data will be stored in the safe of the Department of Social Work and Criminology at the University of Pretoria for a period of 15 years

6.12   SUMMARY

This chapter focused on the research methodology that the researcher used during the study. As explained, the researcher made use of a mixed-method approach, where both qualitative and quantitative research methods were used. Furthermore, the population for both parts of the study was discussed as well as the way in which the sampling was done. The researcher elaborated on the data collection methods and how data was analysed and would be presented in findings and quantitative results. Ethical considerations for the study and the execution thereof received attention to verify that the research process was transparent and ethically of a high standard.

CHAPTER 7
EMPIRICAL FINDINGS: QUALITATIVE RESEARCH

7.1   INTRODUCTION

In this chapter, a detailed discussion of the analysis of the qualitative data will be presented. Qualitative research findings are presented according to categories, themes and sub-themes. Biographical profiles of the families, family compositions, perceptions of parenting plans, factors influencing the implementation of parenting plans and recommendations are categories that will be covered. The subsequent categories include the individual opinions of parenting plans, individual experiences of parenting plans, knowledge gained by the plan, process followed to draft the parenting plans, families' experience of the implementation and then recommendations to parents and professionals as an identified theme.

7.2   EMPIRICAL FINDINGS

The researcher presents the findings of the qualitative empirical investigation and the interpretation thereof in the remainder of the chapter. In presenting the qualitative findings of this study, questions asked will be divided into themes and sub-themes. To protect the participants' identity and to ensure confidentiality a number will be given to every participant. Forty interviews were undertaken in Afrikaans and English. For this study, participants will be referred to as Participants and will range from Participant one (1) to Participant forty (40).

Table 7.1: Summary of section, themes and sub-themes

Section A	Biographical profile, family composition and financial status
Section B	Parenting plans and divorce
Theme 1	Perceptions of parents of a parenting plan
Sub-Theme 1.1	Opinion (definition) of a parenting plan
Sub-Theme 1.2	Importance of a parenting plan
Sub-Theme 1.3	Experience of own parenting plan
Sub-Theme 1.4	Knowledge around your children's needs during divorce
Sub-Theme 1.5	Process of drafting a parenting plan
Sub-Theme 1.6	Professionals drafting parenting plans
Theme 2	Factors influencing the implementation of parenting plans
Sub- Theme 2.1	Factors that contribute to the success/failure of a parenting plan
Sub-Theme 2.2	Changes to parenting plans
Sub-Theme 2.3	Family members involved in drafting parenting plans
Sub-Theme 2.4	Effectiveness of parenting plan
Sub-Theme 2.5	Adhering to parenting plan
Theme 3	Recommendations to parents and professionals
Sub-Theme 3.1	Recommendations to parents
Sub-Theme 3.2	Recommendations to professionals

7.2.1 Section A: Biographical profile, family composition and financial status

This section offers a perspective on the participant and his/her family. Table 2 includes aspects pertaining to the participant's age, gender, and home language, level of education, relationship status and town. Table 3 is an extension of Table 2 to include employment status, type of employment and source of income. Table 4 represents the family structure to give a complete picture of the family members and children in the household. Table 5 represents the children relevant to this study (between ages six and twelve) and includes their ages, whether they are biological children, their gender and age at time of divorce.

Table 7.2: Biographical profile of participants

Participant code	Age	Gender	Home language	Level of education	Town
Participant 1	40	Female	Afrikaans	HR Certificate	Carletonville
Participant 2	43	Male	Afrikaans	Diploma	Carletonville
Participant 3	49	Female	Afrikaans	Grade 12	Fochville
Participant 4	53	Male	Afrikaans	Grade 10	Fochville
Participant 5	44	Female	Afrikaans	Degree	Carletonville
Participant 6	35	Female	Afrikaans	Diploma	Carletonville
Participant 7	37	Male	English	Diploma	Carletonville
Participant 8	39	Female	Afrikaans	National Diploma	Randfontein
Participant 9	40	Male	English	National Diploma	Randfontein
Participant 10	38	Male	English	Diploma	Randfontein
Participant 11	35	Female	Afrikaans	Grade 12	Fochville
Participant 12	36	Male	English	Degree	Carletonville
Participant 13	37	Female	Afrikaans	Grade 10	Carletonville
Participant 14	31	Female	Afrikaans	Diploma	Carletonville
Participant 15	48	Female	Afrikaans	Degree	Fochville
Participant 16	54	Male	Afrikaans	Diploma	Fochville
Participant 17	28	Male	Afrikaans	Grade 12	Fochville
Participant 18	27	Female	Afrikaans	Grade 10	Westonaria
Participant 19	34	Female	Afrikaans	National Diploma	Carletonville
Participant 20	49	Female	Afrikaans	Grade 12	Carletonville
Participant 21	50	Male	English	Diploma	Roodepoort
Participant 22	44	Female	Afrikaans	National Diploma	Carletonville
Participant 23	48	Male	Afrikaans	National Diploma	Johannesburg
Participant 24	44	Female	Afrikaans	Degree	Carletonville
Participant 25	47	Male	English	Grade 12	Carletonville
Participant 26	39	Female	Afrikaans	Degree	Fochville
Participant 27	42	Female	Afrikaans	Grade 12	Carletonville
Participant 28	31	Female	Afrikaans	Diploma	Carletonville
Participant 29	33	Male	Afrikaans	Grade 12	Carletonville
Participant 30	33	Female	Afrikaans	Hon Degree	Fochville
Participant 31	38	Male	Afrikaans	Certificate	Randfontein
Participant 32	40	Male	Afrikaans	Diploma	Carletonville
Participant 33	34	Female	Afrikaans	Degree	Fochville
Participant 34	34	Female	Afrikaans	Grade 12	Randfontein
Participant 35	38	Female	Afrikaans	Grade 12	Carletonville
Participant 36	40	Male	Afrikaans	Diploma	Westonaria
Participant 37	44	Male	Afrikaans	Grade 12	Fochville
Participant 38	37	Female	Afrikaans	Grade 12	Fochville
Participant 39	35	Female	English	Grade 12	Carletonville
Participant 40	34	Female	Afrikaans	Diploma	Carletonville

From the forty (40) participants, twenty (20) lived in Carletonville, eleven (11) in Fochville, two (2) in Westonaria, five (5) in Randfontein, one (1) in Roodepoort and one (1) in Johannesburg. The age range of the participants include the following: Two (5%) were between twenty-five (25) and thirty (30); there are two (5%) between thirty-one (31) and thirty-five (35); eleven (27,5%) between thirty-six (36) and forty (40); thirteen (32,5%) between forty-one (41) and forty-five (45); six (15%) between forty-six (46) and fifty (50); and older than fifty (50) there are two (5%). Sixteen (40%) participants are males and twenty-four (60%) are females. The reason for males and females not being equal were that some fathers decided not to partake in the research or they were residing in another province. The spread of participants' ages covers adulthood, from early adulthood to middle adulthood.

The levels of education of participants vary from grade ten (10) to obtaining a university degree. Fifteen (15) participants completed their High School Qualification and twenty-five (25) attended College or University, thus all participants were literate.

Table 7.3: Employment and income

Participants Code	Employment status	Type of employment	Source of income
Participant 1	Employed	HR Manager	Salary
Participant 2	Employed	Rock Engineer	Salary
Participant 3	Unemployed	House Wife	None
Participant 4	Employed	Shaft Foreman	Salary
Participant 5	Employed	Teacher	Salary
Participant 6	Unemployed	House Wife	None
Participant 7	Employed	Electrician	Salary
Participant 8	Employed	Financial Clerk	Salary
Participant 9	Employed	Critical Care Paramedic	Salary
Participant 10	Employed	Logistics Mining	Salary
Participant 11	Employed	Filing Clerk	Salary
Participant 12	Employed	Geology	Salary
Participant 13	Employed	Administration	Salary
Participant 14	Employed	Waitress	Salary
Participant 15	Employed	Teacher	Salary
Participant 16	Employed	Planning Manager	Salary
Participant 17	Employed	Mechanical Draftsman	Salary
Participant 18	Unemployed	House Wife	Social Grant

Participant 19	Employed	Pharmacy Assistant	Salary
Participant 20	Employed	Senior Administrative Clerk	Salary
Participant 21	Employed	Mechanical Foreman	Salary
Participant 22	Employed	Detective SAPS	Salary
Participant 23	Employed	Trainer SAPS	Salary
Participant 24	Employed	Official SAPS	Salary
Participant 25	Employed	Security Manager	Salary
Participant 26	Employed	Teacher	Salary
Participant 27	Employed	Manager Post Office	Salary
Participant 28	Employed	Administrative Clerk	Salary
Participant 29	Employed	Miner	Salary
Participant 30	Employed	Financial Accountant	Salary
Participant 31	Employed	Logistical Engineer	Salary
Participant 32	Employed	Safety Officer	Salary
Participant 33	Employed	Nursing sister	Salary
Participant 34	Unemployed	House Wife	None
Participant 35	Employed	Energy Controller	Salary
Participant 36	Employed	Mine Overseer	Salary
Participant 37	Employed	Business Owner	Salary
Participant 38	Unemployed	House Wife	None
Participant 39	Employed	West driver	Salary
Participant 40	Employed	Financial Planner	Commission

Table 3 gives an indication of the employment and income. Thirty-five (87,5%) participants are employed and only five (12,5%) unemployed. The fact that Carletonville, Fochville, Westonaria and Randfontein are mining communities can be clearly identified from the type of employment.

Table 7.4: Family Structure

Participant code	Family structure (In house)	Ages of children
Participant 1	Participant, daughter and son	12 and 17
Participant 2	Participant, daughter and son	12 and17
Participant 3	Participant, husband and son	11
Participant 4	Participant, wife and son	11
Participant 5	Participant and two daughters	12 and 16
Participant 6	Participant, husband and daughter	10
Participant 7	Participant, mother, father and daughter	10
Participant 8	Participant and daughter	9
Participant 9	Participant, girlfriend and three children	6,8 and 9
Participant 10	Participant, girlfriend and five children	7,8,9,10 and 11
Participant 11	Participant and three children	4,8 and 10

Participant 12	Participant, wife and three children	11, 11 and 13
Participant 13	Participant, husband and three children	11, 11 and 13
Participant 14	Participant, grandmother, grandfather, three children	4, 10 and 12
Participant 15	Participant and two children	11 and 20
Participant 16	Participant and child	11
Participant 17	Participant, grandmother and child	6
Participant 18	Participant, boyfriend, uncle, three children	10 months, 5 and 6
Participant 19	Participant and child	9
Participant 20	Participant, boyfriend and child	8
Participant 21	Participant, wife and child	8
Participant 22	Participant and three children	10, 20 and 23
Participant 23	Participant, girlfriend and three children	4, 6 and 10
Participant 24	Participant, boyfriend and child	9
Participant 25	Participant, girlfriend and two children	9 and 21
Participant 26	Participant and two children	8 and 10
Participant 27	Participant, boyfriend and child	12
Participant 28	Participant, husband and three children	1, 8 and 9
Participant 29	Participant, girlfriend and child	8
Participant 30	Participant and child	6
Participant 31	Participant, girlfriend and five children	8, 8, 9, 10 and 11
Participant 32	Participant, wife and three children	1, 8 and 9
Participant 33	Participant and two children	8 and 11
Participant 34	Participant, boyfriend and three children	5, 8 and 9
Participant 35	Participant and child	11
Participant 36	Participant, girlfriend and four children	7, 9, 10 and 17
Participant 37	Participant and two children	8 and 12
Participant 38	Participant and two children	8 and 12
Participant 39	Participant, friend and two children	7 and 9
Participant 40	Participant, boyfriend and four children	6, 8, 18 and 20

Table 4 shows that most of the families live with either a new wife or husband, a girlfriend or boyfriend and then the children. In all these families, the children fall within the middle childhood (6 to 12) years, with only seven (7) families that have children older than sixteen (16) and eight (8) children in the early childhood phase.

Gildenhuys (2015:11) explains that the concept of families has changed rapidly in South Africa and the world over the past decade. The face of families today is no longer a picture of a dad and a mom with a boy, a girl and a dog. The author further explains that not only has the family system changed over the years, it also changes constantly as children

move forth and back between two different homes. The reality is that children often stay with one parent and then visit the other parent. Societies adapted to a new way of living and accommodate all kinds of families.

The researcher in practice observes that families are not as they used to be and the concept of Constance Ahrons (2004:12) of families that must be able to shift from two-parent (intact) households to single parent (dissolved) families is a reality for society.

Table 7.5: Child in Middle Childhood relevant to this study (ages six to twelve)

Child code	Age	Gender	Biological child/not	Age at divorce
Participant 1.1	12	Male	Yes	10
Participant 2.1	12	Male	Yes	10
Participant 3.1	11	Male	Yes	7
Participant 4.1	11	Male	No	7
Participant 5.1	12	Female	Yes	9
Participant 6.1	12	Female	Yes	9
Participant 7.1	12	Female	Yes	9
Participant 8.1	9	Female	Yes	8
Participant 9.1	9	Female	Yes	8
Participant 10.1	10	Female	Yes	7
Participant 11.1	10	Female	Yes	7
Participant 12.1	11	Male	Yes	9
Participant 13.1	11	Male	No	9
Participant 14.1	11	Male	Yes	9
Participant 15.1	11	Male	Yes	8
Participant 16.1	11	Male	Yes	8
Participant 17.1	6	Female	Yes	5
Participant 18.1	6	Female	Yes	5
Participant 19.1	9	Male	Yes	7
Participant 20.1	8	Male	Yes	6
Participant 21.1	8	Male	Yes	6
Participant 22.1	10	Male	Yes	7
Participant 23.1	10	Male	Yes	7
Participant 24.1	9	Female	Yes	8
Participant 25.1	9	Female	Yes	8
Participant 26.1	10	Male	Yes	8
Participant 26.2	8	Male	Yes	5
Participant 27.1	12	Male	No, adopted	9
Participant 28.1	8	Male	Yes	6
Participant 29.1	8	Male	Yes	6
Participant 30.1	6	Female	Yes	5

Participant 31.1	8	Male	Yes	7
Participant 32.1	9	Male	Yes	6
Participant 32.2	8	Male	No	6
Participant 33.1	11	Male	Yes	9
Participant 33.2	8	Female	Yes	6
Participant 34.1	7	Male	Yes	5
Participant 35.1	11	Female	Yes	8
Participant 36.1	6	Female	Yes	5
Participant 37.1	12	Male	Yes	10
Participant 37.2	8	Female	Yes	6
Participant 38.1	12	Male	Yes	10
Participant 38.2	8	Female	Yes	6
Participant 39.1	9	Male	Yes	6
Participant 39.2	7	Male	Yes	4
Participant 40.1	8	Male	Yes	7
Participant 40.2	6	Male	Yes	5

There were forty-seven (47) children relevant to this study (between the ages of six and twelve years). Seventeen (36%) of these children were female and thirty (64%) children were male. Most of these children were biological children, except three (3) children that were the children of partners and one (1) was adopted. From the forty-seven (47) children only three (3) are attending pre-primary school, while the others are in primary school. All these children stay with one parent and visit the other during alternative days, weekends and holidays.

7.2.2 Summary of biographical profile, family composition and financial status

The above section gives a clear indication of the family composition and the total of children in each family. The parents' ages range between 27 and 54. The lowest level of education is grade 10 and the highest is a university degree. From the group of 40 parents, 24 are female and 16 males, while with the children, 30 are male and 17 are female. The largest group (20) stays in Carletonville and 11 reside in Fochville. The other parents live in Randfontein, Westonaria, Roodepoort and Johannesburg. Eighty-five percent (85%) of the parents are employed, 10% are unemployed, 2,5% work on commission and 2,5% receive a social grant. From the 40 parents, 33 speak Afrikaans at home and 7 English. From the interviews that was done, 47 children were in middle childhood (6 to 12 years).

The researcher focused on parents with children in middle childhood due to the immense changes and challenges children have during this phase. Children in middle childhood physically change and they start to define clear family roles, the challenges might exacerbate the child's adjustment that can be valuable towards this research. The researcher realized that the children often face broken family homes, family violence, learning disabilities and too often bullying, all changes in their different systems that can influence them with great concerns (Strong & Cohen, 2017:514). Middle childhood is often the phase where change in the family situation influence the bigger systems with great concern.

7.3   SECTION B: PARENTING PLANS AND DIVORCE

This section provides a view on the parents' opinion of a parenting plan, their perception on the necessity of such a plan during divorce, their experience of their own parenting plan, knowledge obtained during the draft, the process of drafting a parenting plan and the accessibility to professionals capable of drafting parenting plans.

7.3.1 Theme 1: Perception of parents of a parenting plan

The researcher investigated the parents' own ideas and perceptions with regards to their parenting plans. A clear description was obtained of the parents' views on the need of a parenting plan, then the parents' experience of their own parenting plan and if they gained insight into their children's needs after divorce. The process of drafting a parenting plan was explored and whether professionals involved in drafting these plans were available, approachable and knowledgeable.

Sub-theme 1.1: Definition of a parenting plan

Most of the participants define a parenting plan as a guideline, book of rules, agreement, binding document, legal contract and clear structure that is given to both parents in which they must raise their children post-separation or post-divorce. It addresses matters like primary residence, caregiver, and quality time spent with each parent, education, living

arrangements, support, care and medical needs. Most parents regard the child's best interests as priority and that children need both their parents involved in their lives to develop to their fullest potential. Feedback includes that parents must not interrupt a child's life and that children must not be involved in adult matters. A parenting plan is a way of communication between parents when decisions need to be made about their children; it limits conflict and the result is to prevent discomfort between parents and/or children. It is a secure and uncomplicated way of addressing the child's needs and it gives access to both parents. Parenting plans give structure, arrangements become easier and end the blame game between parents when things go wrong. Parenting plans clarify misconceptions between parents and stipulate the rights and responsibilities of both parents towards their child/children.

As one participant explained: '*'a parenting plan is a basic document that assist parents to maintain a healthy relationship post-divorce and it assist all parties not to influence their child negatively toward the other parent. It is basic rules both parents need to follow not to disadvantage their children.''* – Participant 25

''I see a parenting plan as a binding document between two parents that divorce, in which their children's needs are clearly stipulated and it is their responsibility to fulfil those needs.'' - Participant 37

In summary, some participants think a parenting plan is relatively easy, as a parenting plan is exactly what it says in a sense that it is a plan that parents must work out for their children after they separate/divorce. Participants are of the opinion a complete drafted parenting plan is more valuable than a paragraph in the divorce settlement. A parenting plan can be a document agreed to by both parents of minor children or it can be forced upon parents by the court. It is a peaceful agreement by which parents both have equal access to their children, without complications. The aim of a parenting plan is to adhere to both parents' needs and that children are happy in both homes, with stability and to function as normal as before the divorce. It is an action plan of how parents will work

things out in two different households and to keep the family in a safe structure with routine.

Robinson (2009:80) defines a parenting plan as a "structured plan to specify to both the biological parents of minor children their rights and responsibilities as set in the best interests of the children." A parenting plan describes how parents will contribute to the care and well-being of the child by providing detailed information in five areas: custody and visitation; decision-making rights and responsibilities; dispute resolution and expenses of the child (Spengler, 2006:1). The parenting plan is more than a set of rules to follow when interacting with the other parent or when dealing with the children (Thayer & Zimmerman, 2007:236). These rules are designed to provide structure for interactions and to prevent conflict concerning the children. Strous (2007:223) refers to a parenting plan as a document that includes all the child's physical, economic, emotional, intellectual, cultural, spiritual, social, moral and religious well-being after parental divorce.

A parenting plan will cover issues such as a general agreement regarding communication, education, medical, extra-mural activities, religion, transport arrangements from one household to the other, new partners and any other issues that parents view as essential (Duchen & Dennill, 2005:11).

Robinson et al. (2011:223) maintain that the best interests of the child is of paramount importance and that a parenting plan must be child-centred and not parent-centred. Duchen and Dennill (2005:11) state a parenting plan will cover issues such as a general agreement in respect of communication, education, medical, extra-mural activities, religion, transport arrangements from one household to the other, new partners and any other issues that parents view as essential.

Kelly (2005:238) and Kushner (2009:330) agree with the parents that a parenting plan and co-parenting after divorce may only work when families want them to work. Duchen and Schutte (2008:9) add that children pay the price for their parents not having well-developed, good parenting plans

The researcher concludes that the definitions of the participants include the changes that need to be made in the families in terms of making a shift from an intact family towards a blended family. Ahrons (1994:3) agrees with the feedback when she explains that she prefers the term *binuclear* rather than coming from a *broken home.*

Sub-theme 1.2: The importance of drafting a parenting plan when separating/divorcing

All participants agreed that it is important to draft a parenting plan when separating or divorcing due to the following:

- It gives routine, discipline, security and stability to the children;
- Children are then raised in the same way in both households;
- Children are then not confused by different rules;
- Responsibilities are clarified, and adults stop blame shifting;
- It is a safe option;
- It eliminates conflict between parents;
- If rules are in writing, no misunderstandings occur;
- Both parents have equal responsibilities and rights;
- If parents cannot communicate a parenting plan is a safe option;
- It protects both parents and children;
- It secures the availability of both parents;
- It limits loopholes and gives father access;
- To resolve conflict between parents;
- Protects the child;
- It is a commitment to co-parent;
- It excludes emotions and limits anger issue.

Considering the above, the views of Botha (2011:9) and Combrinck (2014:30) support the views of the participants by underlining that a parenting plan gives structure to the continuous involvement of both parents in the lives of their children. If both parents and their children are involved in drafting a parenting plan it facilitates a collaborative approach

to co-parenting and all parties know what is expected of them. Robinson (2009:42) emphasises a parenting plan limits parental conflict and all negative outcomes towards the children and that children adjust with more ease when they are deprived of parental conflicts about their needs.

Ebersohn (2006:26) explains that the Ecological Systems Theory of Bronfenbrenner best describes the challenges that divorced/separated families encounter trying to restructure the family after divorce. Ebersohn emphasises that a child's development suddenly occurs within two micro systems and not the family of origin (core family) and this causes enormous stress for the child if both parents are not equally involved. The child remains a full member of both micro family systems; the challenge arises when the interaction of the reconstituted families differs, and they influence each other reciprocally (Ebersohn & Bouwer, 2013:1). From the Family Systems Theory, this adaptability into different homes tend to put the family of origin in a state of being out of balance. A change in the family means readjustment from all its members and often cause problems/challenges for some – in most divorcing families it is often the children that need to adapt. The view of Eddy (2014:16) correlates with the data when he explains that the blending family tries to reconstruct their boundaries and the changes; one family needs to be divided into two family systems. The disequilibrium surfaces when both biological parents cannot commit to stay connected to the children.

As one participant remarked: "*It should be two houses with the same rules*". Another valuable insight from a parent is that a parenting plan, although important, must not be set in stone as children develop and grow and their needs change – parents must be adaptable towards their children's needs. A parent also stated that he feels that a parenting plan gives "*you a foot to stand on*", as both parents can rely on their attorneys for support to enforce the rules as agreed on in the parenting plan.

During the literature study, it was evident that well-developed parenting plans have several advantages. Birbaum and Fidler (2005:340), Botha (2011:9), Combrinck (2014:38), Kelly (2005:238) and Robinson (2009:42) identify that parenting plans foster

children's relationships with both parents, parental responsibilities can be addressed with minimal conflict, it acts as a safety net for children as it protects their best interests, well worked schedules make planning easier, both parents have peace of mind due to the plan being in writing and the court/Law does not make decisions for parents.

Sub-theme 1.3: Experience of your own parenting plan

The following table provides an overview of parents' perception of a parenting plan.

Table 7.6: Parents' perception of parenting plan

* Success - White * Failure – Light Grey

Participant	Success	Failure	Reason
Participant 1		X	- Lacks routine and discipline. - Different rules for different houses.
Participant 2	X		- Same rules in both homes. - Children's needs are met. - We co-parent.
Participant 3		X	- Parent's do not co-parent. - Child manipulates parents.
Participant 4		X	- We do not keep to the rules. - Fight/argue in front of the child.
Participant 5		X	- It does not work in practice as on paper. - Father not involved as promised.
Participant 6		X	- Our plan does not suit our child's needs.
Participant 7	X		- Both parties wanted what was best for our child. - We changed according to our child's development and her needs.
Participant 8	X		- It forced us to think about the best options for our child.
Participant 9	X		- Our child had stability and both parents involved in her live.
Participant 10		X	- Our child is confused. - Misleading information.
Participant 11		X	- Our plan is a book of rules by which the father threatens me.
Participant 12	X		- Our child is happy, and his best interests is the first goal.
Participant 13		X	- The mother is not involved at all. - Our child is suffering due to absent mother.

Participant 14	X		- No conflict or misunderstanding. - Both parents are flexible.
Participant 15	X		- No problems. - It is not about the piece of paper, but the attitude of the parents.
Participant 16		X	- Too often the mother is advantaged.
Participant 17	X		- I have access to my child.
Participant 18		X	- One party is always unhappy. - Continuous conflict.
Participant 19	X		- Our son is happy and emotionally stable. - No pressure on anyone.
Participant 20	X		- It works logistically for all.
Participant 21	X		- We both know our roles and responsibility.
Participant 22		X	- The father does not understand custody and visitation.
Participant 23		X	- We continuously fight.
Participant 24	X		- We have set rules and direction. - Our children have stability and both parents involved in their lives.
Participant 25	X		- Our children's needs were met. - Both parents are involved.
Participant 26	X		- No one could take chances, as we had set rules.
Participant 27		X	- The father is only fun and games. - I am the only one who have rules.
Participant 28	X		- Our child is happy. - Both homes offer stability and routine.
Participant 29	X		- I see my son often and am involved in his life.
Participant 30		X	- It is not used at all.
Participant 31	X		- We focus on our child's needs. - We can communicate with ease.
Participant 32		X	- Only one parent benefit.
Participant 33		X	- Everything is a fight. - Father is not involved.
Participant 34	X		- I have access to my child and am informed all the way.
Participant 35		X	- Our daughter and her father fights. - Father is not involved in her daily life.
Participant 36	X		- Both parents are involved
Participant 37		X	- Mother is not involved on a regular basis.
Participant 38		X	- One parent should not be favoured above the other.
Participant 39	X		- The father is involved when possible.
Participant 40		X	- Children's needs are not met.

From the above table there are numerous factors that influence the implementation of parenting plans. Some fundamental aspects need to be in place for a parenting plan to be successful in practice. As seen in the responses above, parents succeed when they have the same rules in both homes, as this gives stability to the children. Participants also agree that a co-parenting system works and that it means that both parents are involved in a child's life. Routine and discipline are two crucial factors that need to be followed.

According to the participants, parents that recognise their child's best interests and take the child's developmental phase into account seem to be successful. Participants clearly state that a parenting plan is only a piece of paper and that the parents' attitude is more important. If they can communicate with each other and about their child's needs, then the parenting plan can be successfully implemented. On the other hand, when parents argue in front of the children, the children manipulate and play parents off against each other. The lack of discipline, routine and rules is a given for chaos.

Parents' inability to co-parent makes the life for their children difficult. Children need to be supported in challenging times, they need encouragement to learn and discover, they need to maintain routines with which they are familiar, they need firm and loving boundaries to feel safe, they need parents whom they can trust and, most importantly, parents who support each other. All children, whether in intact or separated families, need a haven and a secure emotional base which they can call home (McIntosh, Burke, Dour & Gridley, 2009:8). On paper arrangements might be promising, but empty promises cause pain for children. It is a fact that children need both parents involved in their lives and to make joint decisions. The fact that one parent is favoured above the other, is also a risk in the well-being of the child. Hartson (2006:192) argues children are more secure when both parents are given the opportunity to be involved in the child's life and to co-parent. When children have the attention and love of both parents they adjust more easily to parental divorce, as they do not experience feelings of desertion. Warshak (2014:86) adds that children benefit from the consistency of their parents working together as a team.

The view of Combrinck (2014:45) aligns with the perceptions of the participants by adding that reasonably consistent routine, discipline and structure need to be implemented during access time. This correlates with the concept of co-parenting as described by Thayer and Zimmerman (2001:236). Co-parenting is when parents form a co-parenting partnership based on love, respect, concern for their children and the ability to raise children together. According to them, what children need after divorce are two loving parents who avoid the common traps of hostility, inflexibility, constant fighting or bad-mouthing each other and who would rather display a united supportive front.

Ebersohn and Bower (2013:6) explain that at the mesosystemic level children are often exposed to parents' constant disagreeing or fighting around their well-being. The fact that parents cannot agree in terms of the child's future causes emotional insecurity and a lack of frequent contact with the other parent. Conflict between parents around the child's needs influence the child's ability to adapt to the new family system. Ebersohn and Bower (2013:10) add that children's emotional security are strongly influenced by the functioning of the meso system, namely the interaction between the parents (the two micro family systems) and if parents cannot agree around the child's future and give structure the system is influenced in a negative way.

Family systems affect people's perceptions of themselves, how they think and communicate and influence each other. When one family dissolves and new families need to be restructured the individuals must decide how they will react towards the family of origin. When parents disagree around the rules and regulations of their children, children get confused (Eddy, 2014:17).

Ahrons (2004:79) states: ''Going between homes is not easy for children, but they can reduce stress by taking whatever measures they need to at least minimally cooperate.'' Gildenhuys (2015:37) explains that a strong, stable blended family is as capable of nurturing healthy development as a nuclear family. If both the homes instil values, affirm the same limits and boundaries and provide a similar structure in which rules are made then children accrue a sense of stability and adapt to the changes with more ease.

Sub-theme 1.4: Knowledge gained by drafting a parenting plan

The majority of the participants indicated that they gained knowledge by drafting their parenting plan.
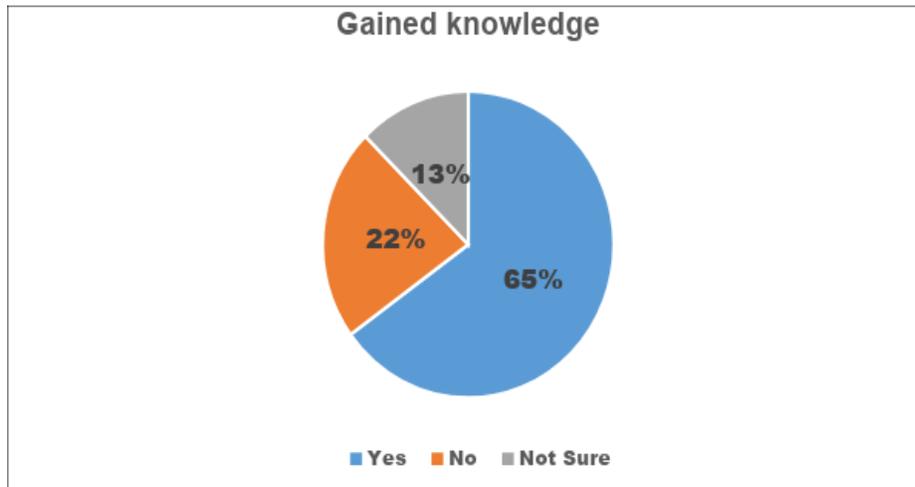
Figure 7.1: Percentage knowledge gained by drafting a parenting plan

More than half of the participants experienced their parenting plan increased their knowledge around the needs of their children during divorce. The rest of the participants regarded their parenting plan not to increase their knowledge around their children's needs or were not sure whether it had a considerable influence on the knowledge they obtained.

As seen in the figure above, participants were positive that their parenting plan did increase their knowledge on what their children needed after divorce. Some of the participants stated that they would have known what their children needed and that no plan or professional would have been able to identify their children's needs. Participants feel that as parents, they know what the best for their children is and too often pride stands in the way of admitting that they might be wrong. The view of participants indicates the focus on the child.

"Yes, definitely because your plan forces you to focus on the needs of your child. I think when adults decide to divorce they think, what do I as an individual can obtain from the other and if you create a parenting plan you focus primarily on the children." – Participant 5

''The plan did not increase my knowledge as to the needs of my child, however it highlighted certain aspects as more important.'' – Participant 7

''Yes, for me as father I realized that my child needed me actively involved in her life. Men forget that they are also important to their children. During the draft of our plan I was astonished that my child verbalized that she needed me just as much.'' – Participant 9

'"Yes and no, but it surely was an eye-opener. I guess every divorce is different and every child. You as parent never realize what actions is going to affect your child and when you draft a plan you find out exactly how your child sees it.'' – Participant 12

'"No, not really as we as parents knew what our children needed." Participant 15

''Yes, I have learnt much more of my child.'' – Participant 17

''Yes, it did. We as parents had to think of all her needs and what was important for her.'' – Participant 25

''I must honestly say it did not increase my knowledge, it simply made me remember what was important. I don't want to sound smart, but parents know that children need both parent involved in their lives. Although the drafting of our parenting plan raised awareness of all the challenges and that little people are involved when making future choices.'' – Participant 29

Participants gained knowledge about the effect of the divorce on their children and on their children's needs, even when indicating that they know their children the best. This

correlates with the view of Botha (2011:2) who states that a detailed plan is necessary because parents do struggle to focus on the best interests of the children and may become overwhelmed by their own emotions and experiences. Brink (2009), Hartson (2006), Kelly (2005), Preller (2013), Robb (2010), Sanders (2007), Strous (2011) and Warshak (2014) argue the child's age, maturity, temperament, attachment and developmental phases are important and must be considered when making visitation arrangements that are in the best interests of the child.

| Sub-theme 1.5: Process of drafting a parenting plan |

Twenty-four participants had their parenting plan drafted by a lawyer, ten by a social worker (specialising in parenting plans) and six participants drafted their plans on their own. Only five participants stated that they had a well-developed process which included individual sessions with both parents, sessions together as parents, their children were seen by a therapist using play-based techniques and during a combined final session the plan was finalised and accepted. Half of the participants mention both parents attended sessions. None of the children were seen in a session or in any other way. A small number of participants drafted their parenting plan on their own and reported to be very happy with the outcome. These participants did research on previous parenting plans, studied the parenting plans of friends and even did it together.

Some participants explained that their lawyers gave them a template to complete and from that their parenting plan was drafted. These participants experience they are part of the statistics in South Africa or that their plan was only part of the paperwork. One parent said: "*Our plan was drafted as part of our divorce settlement. We had no personal insight and we feel that we were treated in a way of one size fits all.*" - Participant 40

Two participants were excluded during the process of drafting their own parenting plans. One participant said that she was called by the social worker and her parenting plan was simply handed to her. She had no say and the father literally threatened her to accept what was written. The other participant's ex-husband and lawyer drafted the plan, as she was not psychologically stable at that stage. Another participant said that they had no

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sessions and communicated everything through their lawyers, as they were not able to speak with each other. One participant explained that both parents had a session with the lawyer. In the next session the father brought his own lawyer and they started fighting and it delayed the entire process.

There is a huge discrepancy in the process in which parenting plans are drafted and that some professionals follow their own ways. According to Combrinck (2014:47) the most widely used model is the Family and Child Mediation (FCM) model compiled by Familyzone and Duchen (2008); this model takes approximately three to four sessions of 90 minutes to cover all topics. After the individual sessions, Botha (2011:7) recommends that an agenda is drafted and sent to both parties for further input. After that the professional meets with the parties to work through all issues to create an agreement based on the best interests of the children. Botha (2011:9), Combrinck (2014:48) and Robinson (2010:135) recommend that the ideal is that the children are also consulted as stipulated by the Children's Act 38 0f 2005. This however, is not always considered as concluded from the empirical research results.

The most suitable answer came from Participant 30, who said: *''…first draft a proper parenting plan. Do not settle for a few sentences in your divorce settlement to raise your child after divorce, as it does not cover everything that your child needs.''*

Sub-theme 1.6: Obtaining a professional to draft a parenting plan

Most participants mentioned that they found a capable professional to draft their parenting plan. The following feedback stood out:

"We thought our Lawyer was a capable professional, but we could not reach an agreement and ended up with the Family Advocate." – Participant 26

"Capable professionals are not as scarce as everyone believes and I feel that if parents search hard enough they will be successful." – Participant 29

"Not at all, the social worker who drafted our plan was very professional and thorough. She explained what a parenting plan was and the process that will be followed." – Participant 30

"We did not look for any professionals to assist us as we were under the impression that the lawyer will do the plan and did not know that other professionals can assist." – Participant 6

Some participants had negative experiences obtaining a professional to draft a parenting plan.

"Yes, I battled to find a professional. Most are expensive, and the father was not willing to attend a session." – Participant 5

"At first, I did not know about a parenting plan, then I spoke to a friend before doing research and finally drafted the plan myself." – Participant 24

"In our case the Lawyers handled everything. I did not have the information or knowledge that other professionals could draft a parenting plan." – Participant 40

Yes, in our town no one could refer me to a professional that drafted parenting plans." – Participant 35

The responses above indicate that participants had different views about the accessibility of professionals and the service that was rendered. Combrinck (2014:43) recommends parenting plans must be appropriate, sound, well-developed and drafted by competent professionals.

7.3.2 Theme 2: Factors influencing the implementation of a parenting plan

In this second theme, the participants were asked to give a more personal experience of their own parenting plan as implemented in practice. They were asked whether they

thought that their parenting plan was a success or failure, but also to state the factors involved. Participants were also asked if their parenting plans were changed and if confirmed they had to motivate. The involvement of family members and the effectiveness of parenting plans were investigated. The last question explored the adherence of the parents towards the parenting plans.

Sub-theme 2.1: Factors contributing to the success/failure of a parenting plan motivated in the context of parents' own experience

The table below gives an indication of the participants' views of what influenced the success of failure of their parenting plan in practice. The researcher has grouped the most important factors into successful factors and factors that led to failure of implementation of parenting plans.

Table 7.7: List of factors influencing implementation

Successful factors	Failure factors
A parenting plan acts as a **guide** or roadmap for both parents to be actively involved in the child's routine and programme.	The fact that our parenting plan **was not specific and direct** in each parent's roles/responsibilities, opened the way for more arguments and never-ending conflicts around the responsibilities.
A parenting plan is a **guide** for parents on the way forward. It gives clear direction for the restructuring of the family.	The parenting plan was a **book of rules** and not following the rules by the book was a huge threat towards our family system.
A parenting plan assists with a **co-parenting** system, without emotional conflict or fighting.	The fact that parents **cannot agree** in terms of the child's future causes emotional insecurity and a lack of frequent contact with the other parent.
For us **co-operative parenting** and parenting plans mean that each child's right is to develop and maintain an independent relationship with both parents, to be guided, taught, supervised, disciplined and nurtured by each parent and to spend time with both parents on a regular basis.	Our parenting plan was supposed to assist with better communication, but it created more **rules** for both parents to argue about.
The fact that our parenting plan was in writing **assisted** us with co-parenting, being flexible, adaptable, compromise on both sides.	We could no longer communicate without the parenting plan, it **took away** our natural parenting styles.

Parenting plans **foster** positive and clear communication between parents, it makes the blaming game less as both parents know what is expected from them.	Our plan was **not used** at all and the father was not involved.
When adults divorce, they often battle to communicate with ease and a parenting plan **assist** with matters concerning the children.	It is very difficult to make a parenting plan work when **one of the parents ignore** all the agreed terms.
When parents draft a parenting plan and they clarify their roles and responsibility, all becomes **clear** on the needs of the children.	It was clear that a parenting plan on paper can look good, but being implemented in practice is **not always done by both parents**.
A parenting plan keeps both parents committed, as it is **written**. Active involvement from both parents indicate their commitment to their children.	The set rules of our parenting plan made compromising and being flexible almost **impossible**.
All family members were more secure with a predictable routine, as rules and routine are set in a parenting plan and this adds to a **sense of security** for children.	
A parenting plan **clears** the misconception of one parent not being aware of the child's routine or activities.	
One of the biggest assets of a parenting plan is that it gives **consistency** to all involved, due to every family member being on the same page.	
A well drafted plan gives a sense of **stability and security**; our children know where they will be at any given moment.	
Roles and responsibilities are **clarified**; parents do not fight about not knowing what they should do.	

From table 7.7 the researcher has identified the most important factors as listed from the participants that influence a parenting plan to be successful or failing in practice:

- Active involvement from both parents: A parenting plan acts as a guide or roadmap for both parents to be involved in the child's routine and programme.

"I realized that my child needed me actively involved in her life. Men forget that they are also important to their children. During the draft of our plan I was astonished that my child verbalized that she needed me just as much." – Participant 9

- It gives direction: A parenting plan is a guide for parents on the way forward. It gives clear direction for the restructuring of the family.

''Our parenting plan definitely worker, when parents make the decision to divorce they are emotional and confused, our plan gave me direction.'' – Participant 25

- Promoted a co-parenting system: Co-operative parenting and parenting plans mean that each child's right is to develop and maintain an independent relationship with both parents, to be guided, taught, supervised, disciplined and nurtured by each parent and to spend time with both parents on a regular basis. The fact that a parenting plan is in writing assists parents with co-parenting, being flexible, adaptable, compromise on both sides.

''Our parenting plan was successful, because we agreed on all the matters regarding our son. We worked as a team together.'' – Participant 15

- Conflict was minimised: Parenting plans foster positive and clear communication between parents, it makes the blaming game less as both parents know what is expected from them. When adults divorce, they often battle to communicate with ease and a parenting plan assists with matters concerning the children.

''We made a choice to keep to our parenting plan and only communicate on matters with regards to our children. Our plan assisted us in not fighting continuously.'' – Participant 3

- Fostered parental commitment: A parenting plan keeps both parents committed, as it is written. It is also important that both parents have insight in the parenting plan and commitment from both is very important.

''We made a choice to treat each other with respect, acknowledge that both parents are equally important to the children – overall to be flexible towards the needs of our children.''
– Participant 21

- Children are more secure with a predictable routine: Rules and routine are set in a parenting plan and this adds to a sense of security for children. It gives routine for all involved. Children know where they are at certain times and it makes planning easier.

Often fathers feel that they are not involved in their children's daily routine or activities, our parenting plan clearly indicated our child's daily programme and what parents was responsible for what activities. A parenting plan clears the misconception of one parent not being aware of the child's routine or activities. When both parents and children are informed of the routine, access is more freely. A well-drafted plan gives a sense of stability and security; our children know where they will be at any given moment. One of the biggest assets of a parenting plan is that it gives consistency to all involved, due to every family member being on the same page.

''All of us knew what happened during the week and weekends, which made planning, communication and access easy.'' – Participant 7

''For me our plan works. My child is happy and stable, he knows when he sees his father and there is no pressure.'' – Participant 19

- Roles and responsibilities were clearly identified: Roles and responsibilities are clarified; parents do not fight about not knowing what they should do. When parents draft a parenting plan and they clarify their roles and responsibility, the focus is on the needs of the children.

As indicated, some of the participants indicated that their parenting plans only added to their frustration and therefore could be labelled as a failure due to:

- Roles and responsibilities were not clear: When a parenting plan is not specific and direct in each parent's roles/responsibilities, it opens the way for more arguments and never-ending conflicts around the responsibilities. One participant indicated uncertainty around roles made co-parenting even more difficult or impossible.

"Our plan forces you to focus on the needs of your child. I think when adults decide to divorce they think, what do I as an individual can obtain from the other and if you create a parenting plan you focus primarily on the children." – Participant 5

- It became a book of rules: It was indicated that the parenting plan was a book of rules and not following the rules by the book posed a threat to the family system.

"Our plan was a total failure, due to the father using the stated rules to punish me when I did not abide by it." – Participant 31

- It fosters a lack of communication: The fact that parents cannot agree in terms of the child's future causes emotional insecurity and a lack of frequent contact with the other parent. Conflict between parents around the child's needs influence the child's ability to adapt to the new family system. If the parenting plan is not clear on the way in which parents communicate or resolve issues, the child will suffer most.

"Our plan was a total fail, as we could not communicate with each other like adults. My ex-husband continuously referred back to what was stated in our plan. Our plan was cast in stone for him." – Participant 10

- Absent parent: When a parenting plan is not used at all and one parent is not involved, the parenting plan on paper can look good, but means nothing.

"It does not work for us. The father was absent all the time and therefor the plan could not be implemented." – Participant 5

The above clearly indicates the reality of parenting plans in practice and the importance of the different opinions, due to the uniqueness of each family and the needs of the children. From the responses above both parents need to be involved in their children's lives and that the attitude of parents determines the success of the implementation of parenting plans. Kelly (2005:238) and Kushner (2009:330) add that parenting plans and co-parenting after divorce may only work when families want them to work. Robinson (2009:37) supports the opinion that a successful post-divorce family depends on the individuals in the family and their inter-relationships. After the researcher studied the answers that both sample groups gave around the success or failure, the success of a parenting plan is mainly a choice on how parents handle their children together. According to some responses, participants recommend that parents should try to co-parent and be flexible, adaptable, compromise on both sides and continuous communication is of immense value. Parents need to be flexible, make compromises and keep their children in mind when creating a parenting plan (Kushner, 2009:330).

From the advice from participants two stable homes with the same routine, rules and discipline make adaption for children easier. Furthermore, they recommend adults must contain themselves and respect all parties involved. A positive attitude from both parents can give children the best of both worlds. Combrinck (2014:37) supports the views of the participant when she mentions that co-parenting and clear communication with less conflict means that the children's needs are met, and that better parenting emerge. A well-drafted parenting plan must include almost everything parents do in raising children. Robinson (2009:64), Preller (2013:37) and Duchen and Schutte (2008:9) purport that children pay the price for their parents not having well developed, good parenting plans. Finally, participants suggest that if both parents are committed to make the plan work and realise that parenting is forever – then most definitely they will succeed.

Participants that experienced their parenting plan as a total failure explain that the lack of consistency, due to different rules and discipline were main attributes. All children, whether in intact or separated families, need a haven and a secure emotional base which they can call home (McIntosh, Burke, Dour & Gridley, 2009:8). Sadly, due to feeling guilty parents tend to compensate for the fact that their children are no longer in the family of origin.

Participants experienced that they were not equipped to handle all the challenges and changes. However, an advantage is that parents gain more insight into child development and their children's needs when professionals intervene and explain difficult concepts (Botha, 2011:11). The inability to co-parent or even work together on a small scale is a huge factor in failing to implement parenting plans. Absent, unstable and ignorant parents were also main reasons. Robinson (2009:82) argues it is important that both parents contract themselves towards successful post-divorce parenting and to be actively involved in the lives of their children, so that they understand that they both take responsibility for important matters of their children. The fact that some parenting plans did not include room for the children's developmental phases or ages is a huge stumbling block. Hartson (2006:198) underlines the importance that every child is different, and the

family unit is unique. Therefore, parenting plans should be drafted to meet the child's developmental needs and the plan must be modified as the child ages. Just as communication is a key for success, the lack of communication or making use of lawyers is an added point for definite failure. Fathers often experience that their only use is that of a financial contributor and that mothers do not inform them of the child's daily routine or activities. Strous (2007:238) states that co-operative parenting and parenting plans involve that each child's right is to develop and maintain an independent relationship with both parents, to be guided, taught, supervised, disciplined and nurtured by each parent and to spend time with both parents on a regular basis. Disrespect, anger and treating each other with bitterness are all factors that contribute to parents accepting the reality of their divorce.

Positive key factors verbalised by some participants were:

- *''We as parents had a discussion around our child's well-being and realized that we needed to be adaptable.''*- Participant 7

- *''Parents should acknowledge that they are not married anymore, but parenting are forever.''* – Participant 16

- *''We as parents decided that we will not disadvantage our child because of our mistakes.''* – Participant 24

- *''We made a choice to treat each other with respect, acknowledge that both parents are equally important to the children – overall to be flexible towards the needs of our children.''* – Participant 21

- *''We decided that we could give our son the best of both worlds if we work together.''* – Participant 26

- *''No court, piece of paper or Judge can help parents to raise a child.''*- Participant 29

Participants had the following responses as negative key factors:

- *''The father attended sessions and gave ideas, but then refused to sign the final plan.''*- Participant 30

- *''Conflict between parents makes changing the plan a tedious process and a waste of money.''*- Participant 32

- *''No consistency in our lives due to the continuous travelling between two houses.''* – Participant 1
- *''It helps nothing if you go through the process of drafting a parenting plan and then ignore everything you as parents agreed upon.''* – Participant 33
- *''Our plan could have been a success as it was well developed, but the mother was absent minded.''* – Participant 34

Participants had positive and negative experiences. From the participants' responses it was clear that biological parents must be equally involved in the child's life. This is confirmed with the view of Hartson (2006:192) who states children are more secure when both parents are given the opportunity to be involved in the child's life and to co-parent. Warshak (2014:86) adds that children benefit from the consistency of their parents working together as a team. The researcher agrees that involvement from parents should not only be for the sake of continuing the fighting, but to support and respect each other in the process of raising a child together.

Sub-theme 2.2: Changes in parenting plan

From the forty (40) participants only nineteen confirmed that their parenting plan was changed and included some who acknowledged that these changes were done verbally, but not legally. Participants explained that the reasons for change include:

- *"Disruption to the child's life by one of the parents."* – Participant 12
- *"Whenever the other party felt like making changes, it was done."* – Participant 11
- *"Our child needed stability."* – Participant 10
- *"Our first plan did not work."* – Participant 13
- *"To accommodate the father."* – Participant 33
- *"Both parents were not happy."* – Participant 36

- *"Our first plan was not user-friendly for anyone."* – Participant 28
- *"Due to child's developmental needs."* – Participant 5

- *"Mother gained stability and more access were given."* – Participant 37
- *"Father changed employment and worked much further."* – Participant 21

Twenty-one (21) participants agreed that their plan was never changed. The following reasons were given:

- *"Because I was too scared to initiate change."* – Participant 1
- *"The first plan was never implemented."* – Participant 22
- *"It works and everyone is happy and content."* – Participant 16
- *"Good relationships between parents and communication made changes absolute."* – Participant 26
- *"Everyone is happy and it works, why fix something that is not broken."* – Participant 14
- *"Only the maintenance was changed."* – Participant 8
- *"I refuse to waist more money and time on the process."* – Participant 23
- *"I thought about making changes, but do not see the need to do so."* – Participant 35
- *"We need to, but unfortunately, we lack time."* – Participant 3
- *"Changes will make no difference."* – Participant 27
- *"On paper no, in practice yes often. We realized that only we could make changes."* – Participant 40

The above feedback from the participants is a reminder that parenting plans must be changed to adapt with the child's developmental stages and basic needs. Robinson (2009:82-83) is of the opinion a parenting plan must have a basic agreement between parents and both parents must agree to exercise their access with full responsibility and allow every parent to do so. The best interests of the child will be served through being able to have contact with both parents, reasonable consistent routine/discipline/structure, the parenting plan must be followed and implemented with enthusiasm towards the child, conflict must be restricted at all cost, the parenting plan must be written with detail and no parent has the right to force the other and the plan must be updated to address the needs of the child. Sara (2011:35) and Haimi and Lerner (2016:1) suggest preserving

relationships with both parents, stability in post-divorce support, good relationships between the individual family members and the siblings are protective factors during parental divorce and these must be included in a parenting plan.

Kelly (2005:238) and Kushner (2009:330) add that parenting plans and co-parenting after divorce may only work when families want them to work. A successful post-divorce family depends on the individuals in the family and their inter-relationships. From the data obtained the above-mentioned factors post-divorce are very important when families evaluate their parenting plan as working and whether changes had to be done.

Ängarne-Lindberg (2010:11) explains that divorce findings in a dissolution of the primary subsystem of the family causing changes in the family system. It is important for post-divorcing families to reconstruct themselves and to find balance in their functioning. All professionals working with families during divorce and the drafting of parenting plans need awareness that the roles of the individuals in the family will probably change but these changes do not necessarily eliminate the parent-child unit. The change in the family must be incorporated in the parenting plan and the goal must be for both parents to partake in the draft.

| **Sub-theme 2.3: Family members involved in drafting the parenting plan** |

In the format of quantitative data presentation, the following table indicates the different processes professionals follow, as some include both parents in their sessions and the children. Some professionals prefer to refer children to more suitable professionals for evaluations.

Table 7.8: Individuals attending sessions

Participant	Mother	Father	Professional	Child	Not involved
1	*				
2	*	*		*	
3	*				
4					*
5	*		*		

6	*	*			
7	*	*			
8	*	*	*		
9	*	*	*		
10	*	*	*	*	
11					*
12	*	*	*	*	
13	*	*	*	*	
14	*	*	*	*	
15	*	*			
16	*	*			
17	*	*			
18	*	*	*		
19	*	*	*		
20	*				
21	*	*			
22	*		*	*	
23					*
24	*	*			
25	*	*			
26	*	*	*		
27	*	*	*		
28	*	*	*	*	
29	*	*	*		
30	*	*	*		
31	*	*	*	*	
32	*	*	*		
33	*	*	*		
34	*	*	*		
35	*	*	*		
36	*	*			
37		*	*	*	
38					*
39	*	*	*	*	
40	*	*	*		

From the above table, professionals do not include all the family members when drafting parenting plans. Often the children are not included, because the parents might decide that the children are too young or that they as parents know best on what their children need. During the literature study, the researcher concluded that not much is said or prescribed of who should be involved in the drafting of a parenting plan. The only clear indication is of family members that should be involved and a clear process that needs to be followed was the Family and Child Mediation Model (FCM) developed by Duchen and Schutte (2008:3-10). They developed a mediation process for the drafting of a Parenting Plan and included separate phases where parents are included, and some sessions are jointly attended. Robinson (2010:46) emphasises that it is imperative to consult with the child/children in the intervention process and to give the child a voice and opinion if the child is mature enough.

In the article, *Legal instruments to consider in structuring parenting plans* (Robinson et al., 2011:225) the researchers came to the joint conclusion that professionals do not consult with the children and children are not heard in the process, which result in parenting plans being parent focused and not child-centred or in the best interests of the children. In her book *"We're still family: what grown children have to say about their parents' divorce"*, Ahrons (2004:66-67) explains that children felt that they wanted to be heard, they wanted flexibility in their living arrangements and wanted to have their needs considered more by their parents and professionals developing plans for post-divorced families.

Effectiveness of Parenting Plan

47%

53%

Yes
No
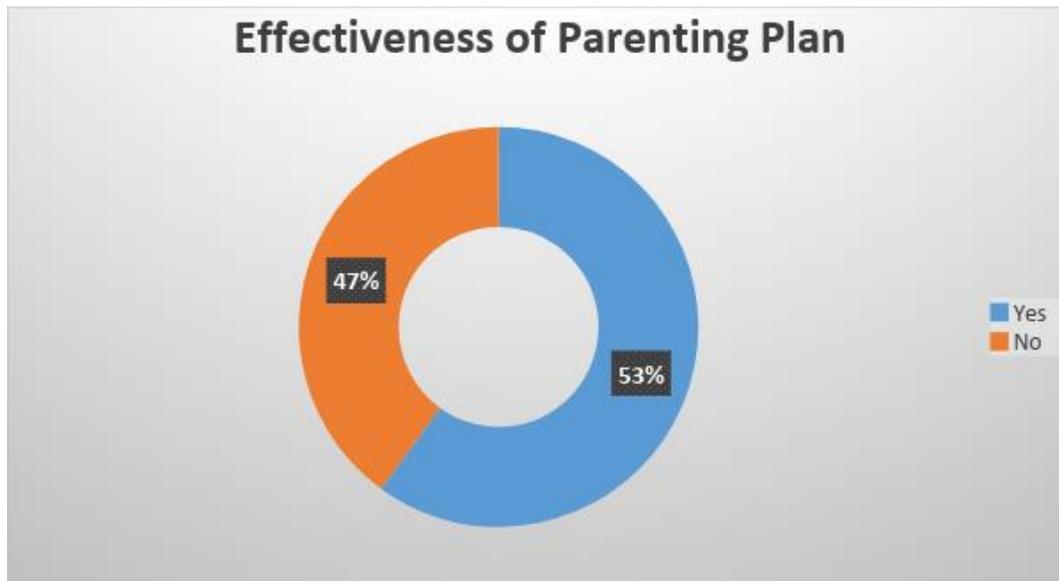
Figure 7.2: Percentage of effective parenting plans

From the forty (40) participants, more than half felt that their parenting plan was good for all family members, while the rest felt that all family members were not benefitting from their parenting plan. Some of the participants felt that their children did not benefit from the rules and regulations. One participant felt that: "*Our parenting plan is just another document for file 13 and means nothing for us in practice.*" – Participant 27

Participants felt that their parenting plan was drafted to be one-sided and not for the good of both parties. Participants experienced that the other parent must be more involved and interested in the daily lives of the children. Those participants that felt that their parenting plan was good, included their children's happiness as a sign, while others felt that they have less conflict and more access to their children. It was evident from the feedback from participants that respecting each other, supporting the children as parents, the attitudes of both parents and not interrupting their children's lives seems to be positive attributes when the value of the parenting plan is at stake.

Participants who recalled that they made changes when necessary and were willing to compromise felt that the plan was good for most of the family members. Participants

explained that they are part of an extended family and the children are content and happy. Another parent said that: ''*If only parties tried harder it could have worked for all, if only we as parents used the parenting plan to protect our children and not for the good of parents.*'' – Participant 32

Ahrons (2004:95) agrees that there is no one-size parenting plan that fits all families and the most important aspect is that children want to be heard when they feel that they want both parents involved in their lives. Children want to spend equal time with both parents and for them the key to making shared parenting work seems to be the fact that parents can be flexible, and they must have effective communication between them and their parents. Ahrons (2004:95) says: ''When parents can cooperate, they can make most arrangements of the parenting plan work.''

Sutphin et al. (2013:502) describe divorce within the Family Systems Theory as the process that changes the family structure and the overall function of the members, which immediately creates disorder. A parenting plan must be able to stabilise the families' function and all family member's needs be met.

The emphasis of the family system is not on individual family members, but on how the members interact with each other. This means professionals will look at the communication of family members, the way in which family patterns evolve and how individual personalities affect family members (Benokraitis, 2010:41). During the draft of a parenting plan professionals must be able to identify all these patterns and the interaction between family members.

According to Johnson (2010:80), the Family Systems theory supports these family members feeling that all families are unique, they have different personal characteristics, their own opinions and beliefs – therefore it is very important that parenting plans should benefit the uniqueness of families and one template cannot benefit all families. Strong and Cohen (2017:52) support Johnson and the parents explaining that professionals working with families must always analyse the family

dynamics carefully and bear in mind that interactions must be seen in the context of the family and its uniqueness.

Professionals working with families post-divorce must evaluate the family and the interaction of all its members must be acknowledged when plans are drafted. In the end, the professionals can play a valuable role in the restructuring of families after divorce if they recognise the unity and the interactions.

Sub-theme 2.5: Family members' adherence to the parenting plan

From the forty (40) participants more than half indicated that they are adhering to the parenting plan and a small part replied that they only do sometimes. Positively, participants explained that as far as possible they keep to the plan and that effective communication assists in the process. Participants also felt that when parents work together they tend to adhere to the plan and apply the rules to the best interests of the child/children. Further they noted that parents must support each other, respect each other as the other parent and work as a team where their child is concerned. There are participants that think they are the only ones who follow the plan, as they do not have a choice and might disadvantage their children if they do not. There are participants that simply adhere to the plan to not get trouble from the law.

Some participants clearly state that no one is adhering to the plan. Participants that think that they do not adhere to the plan, explain that when things do not work out they will do everything possible not to include the child in the challenges. Parents that do not adhere to the plan often blame the other parent rather than taking responsibility for their own shortcomings.

From the two (2) participants that confirmed that they only adhere to the parenting plan sometimes felt that in the beginning it was easier to follow the rules and regulations of their parenting plan, but once the father entered a new relationship it became much more difficult to divide his attention. The other participant said that they follow some points like visitation and schedules, but that they also change rules that do not work and that do not

address everyone's needs. The participant concluded: ''*In the end we made the decision that our children will have the best of both parents.*'' - Participant 24

7.3.3 Theme 3: Recommendations to parents and professionals

Sub-theme 3.1: Recommendations to parents going through a divorce with regards to a parenting plan

Participants had numerous recommendations to other parents who go through divorce and must draft a parenting plan.

Table 7.9: Recommendations to other parents

Participant	Recommendation
1	Parenting plans is a necessary for every divorcing family, because children should not suffer after parental divorce. Parents' main aim must be the well-being of their children and all decisions should be made with that in mind. Parents should treat each other with respect and always communicate in a proper manner.
2	Parents should be honest with their children with regards to their divorce. Divorce is traumatic for children, but the parents' attitude can make an enormous difference.
3	Children should be involved in the decisions after divorce, if they are old enough. It is also important that both parents have insight in the parenting plan and commitment from both is very important.
4	Both parents should be involved in the child's life, as that is what all children need from parents. Involve the child from the start when rules need to be made and proper guidance is essential.
5	Parents must put their own feelings aside and concentrate on the best interests of their child. Parents should explain to their children that divorce is an adult problem and they are not to blame. Therapy is always a good idea with children, as parents often are not objective. Quality time is important and not just money.
6	Both parents should be involved in the draft of a parenting plan. The developmental needs of the child should give direction and therapy can assist with guidance.
7	Parents should be reasonable and listen to the needs of their children. Children should not be used as a weapon against each other.
8	Parents' priority is their children and not their own feelings of resentment. It is parents' responsibility to give the child stability after divorce. Rules and routine should be the same in both households.

9	Parents should be open about their divorce and allow the child to ask questions. Parents should have respect and involve each other in their child's life.
10	A parenting plan should be part of every divorce where children are involved. Children must always be protected, and parents must take responsibility.
11	Children come first, and parents should put their feelings aside.
12	Children need stability after parental divorce and parents should form a co-parenting relationship.
13	The parenting plan is all about the children and not about what the parents want.
14	For the sake of the children, parents should draft a parenting as soon as possible. Parents should be reasonable towards each other and the children must know that they are loved.
15	Parents should go for counselling when they feel that they cannot make sound decisions for their children. Children need both parents actively involved in their life. Communication must be daily and only about the child.
16	Children should have guidance around their parents' divorce. Mediation is very important and both parents should be included in the child's life.
17	A parenting plan should be in the child's best interests and parents should try to communicate with each other.
18	Children should not be in the middle of adult issues and conflict must be limited. Both parents should be part of the child's life.
19	Children should be acknowledged when parents make rules and those rules should be flexible. A parenting plan is a guideline for parents and provides for emotional stability.
20	A parenting plan is very important as it gives clear agreements. It basically gives routine for all involved.
21	Parents should always know that they never stop being a father or mother, although divorced.
22	Emotions should not play a role in your child's future and education is important. Parents should be careful of children trying to manipulate them and parents must support each other.
23	Divorce is an adult matter and parents must not keep children from each other.
24	Parents must focus on their children and the divorce must work for family members.
25	Neither the children nor the parents should suffer after a divorce. A parenting plan must benefit all family members.
26	Parents should consult with a professional for guidance and proper planning. Children should always benefit from both parents involved in their schedules.
27	Divorce is not the end of a family; it basically results into two different households with the same parents. A co-parenting relationship means that both parents are reasonable, stable and loving.

28	Mediation should be objective and both parents should attend. Divorce is traumatic for children and the lack of proper planning will result in an unstable environment.
29	Parents should make their divorce work for the sake of their children. Mothers should recognise the fact that the father is a good parent, although not an excellent husband.
30	Parents should draft a parenting plan as part of their divorce process and if possible, children should be included as they are part of the family.
31	Parents should stop fighting and address the needs of their children.
32	Parents must start with a mediator and not a lawyer. Parents must stop being spiteful towards each other and rather focus on their child. Lawyers are expensive and often cause discomfort for all involved. Too often one parent gets tired of fighting and give up for the wrong reasons.
33	Adults' emotions get in the way of sound decisions and then decisions become emotional. Parents should sort themselves out before drafting a parenting plan.
34	Rules for both parents must be in writing to exclude all conflict. Children need both parents to make important decisions for their future and adults must always remember that parents are forever.
35	Parents must try to make use of the same professional, as this will give a proper holistic background of the family. Children should not be given an ultimatum, but parents should rather be flexible.
36	Children suffer if both parents are not involved and parents should be able to talk to each other.
37	It is very important that parents do not bad mouth each other. Children should not form part of adult issues.
38	Parents should compromise around the basic needs of their children. If parents give children the approval to be happy and content, it will work for all members.
39	A well drafted parenting plan eliminates conflict between parents and then children are less confused. Parents should be able to accept each other and their new lives.
40	Children's needs cannot be addressed by rules on a piece of paper. All children have the right to a normal life, with time spent with both parents.

From the participants' recommendations made to parents about to separate/divorce the most important themes are: divorce and the challenges, parents and the decisions of parenting plans, important aspects of a parenting plan, children and their reaction and involvement, counselling and therapy and mediation.

Sub-theme 3.1.1: Divorce

Most participants agree that although divorce is more commonly accepted in our societies, they are still not easy. It affects parents, children, extended families and the general society. Parents need to make a mindful decision to make their divorce work, for the sake of the children and opt for a co-parenting relationship to minimize the stress on all. During the restructuring process parents should remind themselves and the children that divorce does not end a family – it simply ends a marriage and children can adapt to living in two homes. Parental divorce could be done in such a manner that it works for all members of the family. Communication is key, and parents must put their emotions, anger and pain aside. The focus is the children and their well-being. Children should not suffer due to parental divorce and both parents should be actively involved in the lives of their children. Children should be reassured that the divorce is not their fault, but an adult issue. Assistance and therapy is a necessity. Counselling sessions beforehand is very important. Parents should make use of a mediator to explain the process of divorce and assist in the handling of emotions. Counselling is important as divorce is traumatic for all and children do not need the stress of an unstable environment.

Researchers (Ahrons, 2004:7; Gildenhuys, 2015:11; Preller, 2013:55-56; Robinson, 2009:21) agree that a good divorce does not destroy meaningful family relationships, parents should be cooperative and support each other in the upbringing of their children, communication is of essence, routine and discipline should be the same and parents must be able to compromise.

Ebersohn (2006:2) explains that according to the Ecological Systems Theory of Bronfenbrenner the most important aspect that needs to be remembered during the restructuring of a family after divorce is that the development of children now occurs within two families. The micro system of divorced children is now divided into two families or households. Goldberg and Goldberg (2008:5) explain that this means that a divorce never ends a family as a unit, but it only restructures the family.

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Sub-theme 3.1.2: Parents and decision making

Participants advised, if possible, parents have to make joint decisions and compromise to accommodate their children's needs. Parents should make the best possible decisions for their children and their future. Parents need to be open and honest to the children about the divorce, as they are aware of problems between parents. Communication is key, and parents must put their emotions, anger and pain aside and focus on the best interests of their children. Being reasonable, flexible and supportive towards each other with regards to the needs of their children, is important.

The South African Divorce Support Association developed an eBook titled: "*The law doesn't raise children, parents do*" and in that book, they state valuable points for parents going through divorce and how to least affect your children (2014:10). One principle that stands out is that parents are forever, and both parents must stay connected in the lives of their children. Children need ongoing affection of both parents, children should experience that they have two interested and loving parents and parents that can make joint decisions when it seems impossible.

Sub-theme 3.1.3: Important aspects of a parenting plan

The participants stated that a parenting plan is all about the children, with the child's age and development considered to give children stability and to prioritise the needs of the children. A parenting plan ought to ensure routine and discipline in both houses. It must be in writing and all parties should agree on all the terms. The draft of a parenting plan is recommended as part of the divorce process, but not just a few lines written in the divorce settlement. The main aim of a parenting plan is to minimise conflict between parents, to create a better understanding about the roles and responsibilities of parents, to give guidance and to ensure that all needs are met. In the end parents must remember that they are the two biological parents that can make the best decisions for their children.

A parenting plan will cover issues such as a general agreement in respect of communication, education, medical issues, extra-mural activities, religion, transport arrangements from one household to the other, new partners and any other issues that parents view as essential (Duchen & Dennill, 2005:11). Kushner (2009:330) emphasises that parents need to be flexible, make compromises and keep their children in mind when creating a parenting plan.

A family system consists of more than its members and the interaction between these members. Their patterns of interaction directly influence each other (Strong & Cohen, 2017:52). During this study, the family systems are used to identify how the family members influence each other during the stressful times of divorce. As the boundaries of the families change, the analysis will change from family members to the relationship between family members and outside groups. Sutphin et al. (2013:502) explain that families are systems that may become dysfunctional due to problems within, but also add that the family can return to a healthier state of functioning (homeostasis) by improving communication patterns and interactions, internal and external boundaries or by restructuring family roles. Strong and Cohen (2017:52) support the opinion of Sutphin et al. (2013) about the dysfunction that creates a disequilibrium. A change in the family creates disequilibrium, which in turn creates stress for all members involved.

Professionals drafting parenting plans in practice ought to take time and learn about the family of origin and how they functioned. If all these aspects can be added in the parenting plan families can restore their balance and adapt to two different systems.

Sub-theme 3.1.4: Children and their involvement

According to the participants, children should, if their age and maturity allow that, be actively involved in the drafting of a parenting plan. Children must never be confronted to choose between the two people they love most. When families are split into two family systems, the child becomes a full member of both micro family systems and this becomes a unique situation for the child as he/she needs to interact with both family systems. The

two systems also affect one another and the child differently (Ebersohn & Bouwer, 2013:639). The microsystem is the system in which the individual lives and with which he or she has direct contact. The family is a crucial microsystem which is hugely affected by parental divorce.

Children are intelligent and can manipulate parents easily and therefore parents should be steady, loving and not take on the role of a friend (Robinson, 2010:46). It is imperative to consult with the child/children in the intervention process and give them a clear voice on their views and opinions. Combrinck (2014:43), Kushner (2009:330), Robinson (2009:38) and Strous (2008:223) add that when drafting a parenting plan, the time spent with children is of the utmost importance and considered in all arrangements. Children, if of an appropriate age, must form part of the planning of a parenting plan, as they are part of both systems.

Sub-theme 3.1.5: Counselling and mediation

The participants indicated counselling is very important to assist children and parents to distance themselves from their emotions. If adults work through their anger and hurt, they will can make decisions for their children. Children are very sensitive toward their parent's emotions and anger; it is important to remember that a happy parent has happy children.

Mediation is different from going through the litigation process in the sense that parents are equipped to distance themselves from their emotions and feelings during the divorce process and rather concentrate on the well-being of all family members (Gildenhuys, 2015:75). Mediation is a useful tool for parents who made the decision to co-parent and restrict their conflict. In the end, the family wins.

Combrinck (2014:45), Boniface (20113:103) and Botha (2011:6) consider mediation to be a process of dispute resolution by a neutral third person who aims for problem-solving outcomes and encourages communication between the parties, therefore parents are

assisted to seek solutions and make informed decisions that will be in the best interests of their children.

Sub-theme 3.2: Recommendations to professionals about drafting parenting plans after divorce

In the last two questions the researcher explored the participants' experience and views on their own parenting plan, their divorce and the professionals whom drafted their parenting plans. Participants had their own experience about the interaction with the professional who drafted their plan. Based on the family's needs and dynamics their recommendations were different. The following recommendation to professionals regarding inclusion of other family members reads:

- *"All family members should form part of the parenting plan, as all members will work together to implement the plan."* – Participant 4

- *"Every family is different and therefore a standard template cannot be used. Parents should be honest with their children and involve them in all decisions.''* – Participant 25

Recommendations regarding the conduct of the professional were:

- *"Professionals should be objective, sensitive and empathetic. Professionals should recognise the uniqueness of families and cases should be handled on an individual base."* – Participant 5

- *"Professionals must explain the complete process, cost and time it will take to draft a parenting plan. Feedback and planning is very important.''* – Participant 30

Recommendations regarding the training of professionals were the following:

- *''Professionals should have enough training and experience in working with divorcing families and parenting plans."* – Participant 8

- *''Professionals should be educated and address all matters.''* – Participant 9

The child's needs and best interests received priority recommendations:

- *"The child's needs are of the utmost importance and professionals should plan around that."* – Participant 6
- *"Professionals should keep the child in mind when drafting a parenting plan."* – Participant 15
- *"Professionals should set rules, be calm, put emphasis on the child's needs and parental responsibilities should be clarified."* – Participant 31
- *"Parenting plans must be revised based on the child's developmental age. All children are part of a bigger family and those members can give positive insight."* – Participant 35

Professionals are advised to plan properly and to have information at hand that will guide the drafting of the parenting plan:
- *''Professionals must draft plans that are user friendly and adaptable."* – Participant 7
- *"Make sure that you have all the facts and try to validate the information, as access to a child depends on correct information."* – Participant 29
- *"Proper mediation will exclude all emotions from sound decisions."* – Participant 32
- *"One size does not fit all. With correct information a beneficial plan can be drafted."* – Participant 40

Recommendations were divided into the following themes: parties involved, professionals per se, the child or children, the parenting plan content, education, the process of drafting a parenting plan and mediation.

Sub-theme 3.2.1: Parties involved in the drafting of a parenting plan

Linking the recommendation to a previous question that was asked on the involvement of all family members, participants responded that professionals follow their own process when drafting parenting plans. From the recommendations, participants recommend that all family members be involved in the process of drafting a parenting plan. Most mention both parents must attend sessions and give their opinion. It was said that everyone loses if both parents are not involved in the decision making of their child's future. There is a

discrepancy between the attendance of parents together or alone, as some parents still have hostile feelings towards the other. Some participants had difficulty in agreeing about the attendance of children to sessions, as they feel that they can make decisions about their children. Some participants also mention that extended family can give valuable ideas towards the needs of the child/children. Robinson et al. (2011:240) end by stating that to deliver effective parenting plans for the divorcing family, all individuals need to be actively involved in the intervention process, as only then may an efficient and realistic parenting plan for the unique family be developed.

It is important to contract with both parents, so that they understand that they agree on all important matters of their children (Robinson, 2009:82). Strous (2008:223) supports the ideas of Robinson by adding that parents need to make joint decisions regarding their children and if in disagreement both should try harder. Robinson (2009:64), Preller (2013:37) and Duchen and Schutte (2008:9) claim children pay the price for their parents not having well-developed, good parenting plans. These researchers purport that without a parenting plan, children lose time spent with parents. Children may miss out on time with friends and co-curricular activities. Adequate or timeous medical care might not be received, and important psychological care would be absent. Children may lose touch with significant others. Children may become frustrated and feel sad, disappointed, angry, and rejected. Overall, these children will resent their parents for putting them in the middle of parental disagreements or for breaking the family unit. Birbaum and Fidler (2005:340) identified that parenting plans have two goals, namely to foster children's relationships with both parents, unless there is a compelling reason not to do so; and to protect children from parental conflict. In high-conflict divorces a highly detailed and carefully structured parenting plan may assist parents in carrying out their responsibilities with minimal conflict. This minimises the possibility of miscommunication and altercation. A well-developed parenting plan gives peace of mind to both parents and children. A parenting plan acts as a safety net for children and it protects all family members and eliminates unnecessary stress. Parents can plan their visits with their children, as the schedule provides emotional safety and a definite routine. The most important fact of all is that the court is not involved with parenting disputes or with solving them.

Eddy (2014:19) gives the most unique explanation of the influence of the extended family system during divorce where parents and children live with other combinations of family for the transit phase before restructuring takes place. According to the author, the more members are added, the more complex the process starts to be and then it causes stress within all systems.

Sub-theme 3.2.2: Professionals writing parenting plans

Participants had ambivalent feelings towards the professional writing their parenting plan, whether it was a lawyer, social worker, psychologist or family advocate. Participants recommend that a professional writing parenting plans be objective and sensitive towards the individual needs. These professionals must listen very carefully to what is said and must be able to show empathy. Respect must be given to the relationships within the family and professionals must not be biased. Some issues ask for a sense of urgency for specific individuals. Another important matter that was addressed by participants was the training and knowledge of professionals drafting parenting plans. Thayer and Zimmerman (2001:74) emphasises professionals' awareness of current developments in mediation and the development of parenting plans. Gould and Martindale (2009:357) add that professionals working with divorcing families in drafting parenting plans should at least have a postgraduate degree in a relevant field and should be trained in child development, child and adult functioning and family systems. Most participants said they need specialisation and have sufficient knowledge with regards to the legal requirement when drafting sound parenting plans. The last recommendation is that professionals should not make assumptions based on information obtained from an angry parent.

Robinson et al. (2011:238) state that the drafting of parenting plans is a relatively new concept in South Africa and that not all professionals are thoroughly trained for this task. Professionals need adequate training from accredited institutions before embarking on this task. Robinson (2010:46) further states that all professionals working with parenting

plans ought to be well qualified in the field of parenting plans and must have a comprehensive understanding of all the legal obligations.

Sub-theme 3.2.3: Children are of utmost value

Most participants see the needs of the child/children of utmost importance. One participant stated that a parenting plan starts with the best interests of the child. Professionals should engage with the children and make sure that they know what their wishes are. All parenting plans should act in the best interests of the child/children. Combrinck (2014:42), Robinson et al. (2011:230) and Strous (2007:223) agree that the most important concept when drafting a parenting plan is to focus on the child. These researchers refer to this as child-centred parenting plans, where the best interests of the child is of the utmost importance. Strous (2007:223) refers to the golden thread that runs through the fabric of South African law when decisions about children's needs are to be made and he claims that paramount to this is that the best interests of children is dominant. Robinson et al. (2011:224) maintain the child-centred approach is most important as it has the child's best interests at heart. Strous (2007:223) and Robinson et al. (2011:234) refer to the best interests of the child as the physical, economic, emotional, intellectual, cultural, spiritual, social, moral and religious well-being.

Amato and James (2010:12) summarise that children function well after parental divorce if their standard of living does not decline, residential mothers are psychologically stable, both parents maintain close relationships and there is an amicable post-divorce relationship between parents and with co-parenting. Collardeau and Ehrenberg (2016:31) explain the ease of the parental divorce, inter-parental conflict pre- and post-divorce, personal characteristics and the families' attitude will influence a child's reaction to parental divorce.

Sub-theme 3.2.4: Parenting plans cannot be standardised

One of the most important things that the participants said was that families are not the same and therefore a standard questionnaire (template) cannot be used for all. Robinson (2009:37) and Strous (2008:223) highlight that both professionals and parents should bear in mind that there is no perfect model and that families must compile a plan which is suitable for their circumstances. All family members should have equal opportunity and access to the children. Participants strongly state that parenting plans need revision often, due to the children growing and their developmental needs changing. Robinson (2009:38) adds that when drafting a parenting plan, the time spent with children is of the utmost importance and all arrangements should be made. A parenting plan can be altered as the children grow older or as circumstances change. The above researchers (Robinson, 2009:37; Strous, 2008:223; Kelly, 2005:238; Kushner, 2009:330) add that different schedules should make provision for children of different ages and that the children's developmental phases should be kept in mind. Age, personality type, activities and needs of the child must be kept in mind when drafting a schedule. The parenting plan needs proper, workable rules for every individual. Participants ask for a user-friendly plan in practice and not just another piece of paper. A parenting plan ought to be written in such a way that an original family are successfully divided into two separate homes and not function as dysfunctional families. The interest of a child is reached when parents can work together, cooperate in all instances of their children's lives and be involved as parents without harmful conflict (Robinson, 2009:82). It includes reasonable consistent routines, and discipline and structure need to be promoted in both homes. Both parents need to continue with their lives and take full responsibility for the children during their access time.

A parenting plan will cover issues such as a general agreement in respect of communication, education, medical, extra-mural activities, religion, transport arrangements from one household to the other, new partners and any other issues that parents view as essential (Duchen & Dennill, 2005:11).

Sub-theme 3.2.5: Families should be educated about drafting parenting plans

Participants mention families need education on the drafting of a parenting plan. Professionals able to write these plans should be identified and should be more accessible for all. The use of a parenting plan should be clarified, and the advantages and disadvantages highlighted. The community at large need information about the services available for families going through divorce and not only fighting families should be included. It is interesting that most participants did not even know that other professionals, but a lawyer, could draft parenting plans. Then the rights, roles and responsibilities of parents can also be highlighted, and it could be clarified. Divorced biological parents should be guided and trained to continue their parenting effectively at the mesosystemic level despite all the conflicts, both parents might succeed in supporting their child to functioning optimally and to overcome the difficult family circumstances within the reconstructed family (Ebersohn & Bouwer, 2013:11).

A parenting plan can be altered as the children grow older or as circumstances change. The above researchers (Kelly, 2005:238; Kushner, 2009:330; Robinson, 2009:37; Strous, 2008:223) add that different schedules should make provision for children of different ages and that the children's developmental phases should be kept in mind. Kelly (2005:238) adds that the parents' divorcing style is also an important concept to keep in mind, as the child's well-being is of utmost importance.

Robinson et al. (2011:240) end by stating that to deliver effective parenting plans for the divorcing family, all individuals need to be actively involved in the intervention process, as only then may an efficient and realistic parenting plan for the unique family be developed.

Sub-theme 3.2.6: Drafting process should be well-defined and unique

Most participants see the process of drafting a parenting plan as a paper-based function. Clear guidance should be given in the beginning and the entire process should be described, the time it will take, all costs involved and that the professional will handle

information in a confident manner. Combrinck (2014:49) adds that a huge part of a successful process with divorced parents will be the initial informing session, which starts with the administrative process of divorce, the legal aspects of divorce, family members' rights and responsibilities, and the process they will go through during the process. She states that communication should be open and honest, the needs of all the family members should be accounted for, the family dynamics should be clearly evaluated, and the parenting plan should be drafted by keeping all the mentioned facts in mind. Botha (2011:6) explains that a high quality and feasible parenting plan can only be drafted if all family members are recognised and involved in the process.

During the literature study it was highlighted that researchers (Botha, 2011:6; Combrinck, 2014:49; Robinson, 2010:139) are of the opinion the process of drafting a parenting plan includes meeting the family to explain the implementation of the parenting plan, the optimal functioning of the family needs to be clarified and the post-divorce route as a legal process addressed. All family members should be clear on the steps that must be followed for the parenting plan to become a legally binding document.

Time management is another recommendation as participants mention that often the professionals rush through the paper work as other clients are waiting. Robinson (2010:140) suggests that planning around dates is very important to all parties and this should be clearly addressed so that all parties at least have some sense of when the process will be completed. Participants state that every family is unique with different family dynamics and should be treated as such. Professionals should respect the family as an entity and their individual and family needs need to be adhered to. Professionals should understand that one size does not fit all. Robinson (2010:162) concludes that a professional ought to evaluate and analyse the divorcing family unit's dynamics and overall functioning when considering adding topics that will assist in the post-divorce functioning.

Strong and Cohen (2017:52) explain that from a Family Systems Theory view, professionals working with families should always analyse the family dynamics carefully

and bear in mind that interactions must be seen in the context of the family and its uniqueness. Every family has a known structure that can only be seen during interaction. All families are unique with their own family dynamics to be acknowledged by professionals. Combrinck (2014:74) supports the ideas of Strong and Cohen when she adds that families can only be successful if their different subsystems have security and when their emotional needs are met within the family unit.

It is also proper to give the family a quote at first with all the cost involved and who will be liable for what. Botha (2011:7) adds that financial arrangements are very important and must be agreed upon prior to commencing intervention and structuring the parenting plan. The cost of the intervention to structure a parenting plan ought to be discussed.

Most researchers (Combrinck, 2014:47; Duchen & Schutte, 2008:3; Robinson, 2010:135) suggest that the process of drafting a parenting plan follows an order. The most used process for drafting parenting plans in South Africa is the three-phase model of Robinson (2010:30) and the well-known Family Child Mediation (FCM) model of Duchen and Schutte (2008:3). According to both these models the mediation process can be divided into three broad phases: preparatory phase, joint mediation sessions and final phase during which the parenting plan is drafted and signed. According to Robinson (2010:135) this model serves as a guideline for all professionals drafting a parenting plan. Robinson (2010:136), Combrinck (2014:49) and Botha (2011:6) identify the following aspects to be stipulated in the contract: (i) the interview process; (ii) what to expect in the process; (iii) confidentiality matters; (iv) fees; (v) timing; and (vi) signature of agreement.

Sub-theme 3.2.7: The role of fathers

Fathers only role can no longer be that of a financial provider. Most fathers love their children and need equal rights when it comes to their children. Ellis (2000:34) emphasises that the children must feel protected, loved and supported by both parents after divorce. The fact that both parents can stay involved in their children's lives will make them thrive. Haimi and Lerner (2016:5) conclude that a few factors can be identified that can assist

children to adapt with great ease after parental divorce. Factors include the living arrangements of children post-divorce, especially in instances where children are restricted to having contact with members known to them. Children fare better behaviourally and academically if their living arrangements include the support and love of fathers who are involved actively in the daily life of their children (Haimi & Lerner, 2016:5). These researchers also state that children prefer more contact with the non-custodial parent than parents agreed upon and in most instances these children prefer a plan with shared physical custody. These children and adolescents explain that they feel more loved, satisfied and less rejected when both parents have full access to them (Haimi & Lemer, 2016:5).

Mothers and professionals should acknowledge that the father might not have been one of the best husbands, but they are excellent fathers. Kelly (2005:238) and Kushner (2009:330) add that parenting plans and co-parenting after divorce may only work when families want them to work and that a successful post-divorce family depends on the individuals in the family and their inter-relationships. Robinson (2009:37) is of the opinion judges or psychologists do not possess special wisdom or mysterious tests which would determine what is best for the children. She adds that parents know what is best for their children as a legal document does not raise children. Strous (2008:223) supports the ideas of Robinson by adding that parents need to make joint decisions regarding their children and if in disagreement both should try harder.

Sub-theme 3.2.8: Mediation as strategy in divorce

It is recommended that parents first start with mediation before anything else. Mediation during parental divorce is a new concept in the South African Law but has been a part of international law for decades. Badenhorst (2013:38), at the Centre for Alternative Mediation in Johannesburg explains that mediation assists parties that have been struggling with their disputes and negotiations for far too long. Boniface (2013:130) states that mediation has become increasingly important in Family Law in South Africa, because the Children's Act 38 of 2005 includes mediation as compulsory in certain instances. The

child's right to be heard is addressed during divorce mediation and this is the most important fact that the Act prescribes.

During divorce adults are often angry, frustrated, emotional and spiteful. It is then that both adults need a safe place to communicate their challenges. Fourie (2012:6) explains that the Children's Act 38 of 2005 places a high priority on resolving parental conflict during divorce in all instances. The end of this is to emphasise mediation as a dispute resolution or problem-solving mechanism. Fourie (2012:6), as Family Advocate, sees this as being more positive towards all parties committing themselves to solving their problems, not involving the judicial system in their conflicts and dragging children through the process of the court system. Brink (2009:11) adds that during effective mediation children experience a reduction in parental discord and become securely attached to both parents, which in the end support their development. Duchen and Schutte (2008:93) define mediation as an alternate dispute resolution process, where parties meet with a third person, mediator, for facilitating an agreement between parties. During the mediation, all the options that the parties have are highlighted and the goal of mediation is to have the best practical solutions that meet their needs. The mediator does not recommend options nor give solutions to the parties (Duchen & Schutte, 2008:93). Mediation is part of the dispute resolution options as stated in the Children's Act 38 of 2005. Boniface (2013:103) adds that mediation is a private process, relatively informal where the parties involved determine the outcome of the mediation and feel secure to resolve their parental issues.

A mediator that is calm, natural and able to handle the conflict might just be the best for all family members. Parents cannot make sound decisions about their children if they cannot talk to each other. Botha (2011:6) mentions during mediation, parents are assisted to seek solutions and make informed decisions that will be in the best interests of their children after considering all relevant information and asserts that the mediation process should be non-prescriptive, goal and future orientated and in the end empowering. Facts should be obtained from various sources and the hostility between parents first be diminished.

The above recommendations to parents and professionals' correlate with the literature study and the view of different researchers. Divorce affects all parties involved and have an influence on a society at large. Divorce does not end a family as members simply need to restructure themselves.

"Divorce is not the end of a family, it only shifts the boundaries from one home to two and if both parents in their co-parenting relationship assist with these changes it means that they are responsible, stable and loving parents." – Participant 27

Most participants mention communication as a key concept during divorce and family life after that. Children should not suffer due to parental conflict and ongoing fighting. Parents' main aim should be their children's happiness and stability. Both Robinson (2010:152) and Combrinck (2014:54) recommend communication to assist parents to meet their child's basic needs. Clear communication will prevent the feeling of being overwhelmed by the process of making sound decisions. Botha (2011:9) adds that an effective parenting plan will allow sound, clear and effective decision making between the parents. Thayer and Zimmerman (2001:72) state that both parents should address the child's needs and performance in different areas from educational needs up to daily activities. Professionals should assist parents to select the most effective way of communication that will work for them to keep their communication open and clear.

A well drafted parenting plan will mean that children are well adjusted in their surroundings, with two loving and supportive parents. Gildenhuys (2015:41) suggests parents work together for the sake of their children and raising their children must be a joint decision. Sara (2011:35) and Haimi and Lerner (2016:1) emphasise that preserving relationships with both parents, stability in post-divorce support, good relationships between the individual family members and the siblings are protective factors during parental divorce.

Birbaum and Fidler (2005:340) identified that parenting plans have two goals, namely to foster children's relationships with both parents, unless there is a compelling reason not to do so; and to protect children from parental conflict. In high-conflict divorces a highly detailed and carefully structured parenting plan may assist parents in carrying out their responsibilities with minimal conflict. This minimizes the possibility of miscommunication and altercation. A well-developed parenting plan gives peace of mind to both parents and children. A parenting plan acts as a safety net for children and it protects all family members and eliminates unnecessary stress. Thayer and Zimmerman (2001:236) describe co-parenting as the skill that both parents show when forming a co-parenting partnership based on love, respect, concern for their children and the ability to raise children together. According to them, what children need after divorce are two loving parents who avoid the common traps of hostility, inflexibility, constant fighting or bad-mouthing each other and who would rather display a united supportive front.

"Try to compromise and communicate to help each other to get the priorities around the children in place. Life goes on for both parents and children and if a parent is happy, then the children will also be happy, and it would be visible in the future." – Participant 38

Parenting plans should address the needs of the children first, according to their age and developmental phase. It should inform the same discipline and routine in both houses. Most researchers (Robinson et al., 2011:224; Robinson 2009:67; Strouse, 2011:234; Brink, 2009:3; Duchen & Schutte, 2008:39) agree to the "best interests of the child" principle when making useful and necessary evaluations about the circumstances for creating effective and safe post-divorce life arrangements for all children. Unfortunately, there is huge disagreement when professionals talk about the "best interests of the child" and individual perceptions make this difficult. When drafting visitation rights and age appropriate parenting plans, traditional viewpoints and changing perceptions compete (Strouse, 2011:234). Sanders (2009:68), Brink (2009:5), Preller (2013:41), Robinson (2010:163), Botha (2011:37), Kushner (2014:334), Robb (2010:16) and Duchen and Schutte (2008:116) agree that schedules are the most important aspects of a parenting

plan, as it gives direction to post-divorce life. To avoid any parental conflict, it is most important to create detailed, strict and workable parent-time schedules.

Robinson (2009:118) and Preller (2013:43), as practising professionals in parenting plans, maintain age-appropriate contact arrangements are important. Kelly (2005:241) acknowledges the developmental phase when creating parenting plans as being top priority, as well as the father-role in the children's development and the bond between them. The parent-child relationship and cognitive, social and emotional development are factors to be considered in a well-developed parenting plan. Robb (2010:15) supports the above researcher's view in adding that spending time being parented by both mother and father assists children's adjustment. Robb (2010:15) suggests that the drafting of a parenting plan is more than a simple listing of dates, time schedules, exchange of children and overnight visitation; it ought to be crafted to foster positive relationships and the healthy involvement of both parents.

The researcher agrees with Hartson (2006:198) in that every child is different and the family unit is unique. Parents know best as to what will work for their children depending on their developmental needs, characteristics and ultimately keeping their interests at heart. Strous (2007:238) ends by stating that co-operative parenting and parenting plans mean that each child's right is to develop and maintain an independent relationship with both parents, to be guided, taught, supervised, disciplined and nurtured by each parent and to spend time with both parents on a regular basis.

Children should be involved in the process of drafting the parenting plan, if they are mature enough and if under age they must be assessed by a Psychologist or Social Worker specializing in play-based techniques. The child's best interests are the main priority. Robinson (2010:138) asserts that the most important aspect during the first session is to give right to the child's best interests and that both parents understand this concept clearly. Drafting a child-centred parenting plan, the best interests of the child should be the main goal for all parties involved. Robinson (2010:138) adds that it is imperative to include the children and a session will be reserved for them. Robinson (2010:138) and

Combrinck (2014:49) suggest children be interviewed in an age-appropriate manner and all information about their needs, wishes and daily functioning will be established.

- *"Children comes first, then everything else will follow."* – Participant 37
- *"The parenting plan should be all about the kids, not what the mother of father wants, just what is best for the child."* – Participant 13

Most participants recommend that education be included in the drafting of a Parenting Plan. Robinson (2010:18) states these sections namely Sections 33 and 34 of the Children's Act 38 of 2005, refer to the quality work delivered by the professionals and gives clear guidance in completing parenting plans. Botha (2011:56) suggests parents consult a family advocate, social worker, psychologist or mediator when drafting a parenting plan. Thayer and Zimmerman (2001:74) emphasise that all professionals need to know of current developments in mediation and the development of parenting plans. Gould and Martindale (2009:357) suggest professionals working with divorcing families in drafting parenting plans at least have a postgraduate degree in a relevant field and be trained in child development, child and adult functioning and family systems.

A contract must be signed explaining who will be involved, cost, estimated time and regular feedback. Robinson (2010:140) suggests that planning around dates is very important to all parties and this should be clearly addressed so that all parties at least have some sense of when the process will be completed. Planning with both parents is of utmost importance and regular feedback of high importance (Botha, 2011:3). Botha (2011:7) adds that financial arrangements are very important and must be agreed upon prior to commencing intervention and structuring the parenting plan. The cost of the intervention to structure a parenting plan should be discussed.

It is surprising that participants are not aware of the fact that several professionals can draft a parenting plan and not just lawyers. According to Robinson (2010:18), two sections namely Sections 33 and 34 of the Children's Act 38 of 2005, refer to professionals being able to draft parenting plans and gives clear guidance in completing parenting plans. Botha (2011:56) suggests parents should consult a family advocate, social worker,

psychologist or mediator when drafting a parenting plan. A parenting plan may be drafted voluntarily or when parents have conflict about their rights and responsibilities. The parents should first seek intervention before approaching the court. Combrinck (2014:42) explains that a parenting plan may determine any matter concerning the parental responsibilities and rights, including residence of the child, maintenance, contact structures, schooling and religion. Combrinck (2014:43) recommends parenting plans should be appropriate, sound, well-developed and drafted by competent professionals.

Participants state a parenting plan should be usable in practice, inclusive, address all the family's needs, must be written as soon as possible and the process should not be rushed. When drafting user-friendly and workable parenting plans, researchers agree that parents should bear in mind that there is no perfect model and that families should compile a plan which is suitable for their circumstances (Robinson, 2009:37; Strous, 2008:223). Parenting plans only work when families are committed to succeed and when the child's needs are clearly identified, with both parents being able to work together in addressing these needs (Combrinck, 2014:50). Robinson et al. (2011:240) end by stating that to deliver effective parenting plans for the divorcing family, all individuals need to be actively involved in the intervention process, as only then may an efficient and realistic parenting plan for the unique family be developed. To deliver workable and user-friendly parenting plans for the divorcing family, all parties needs to be involved and give their co-operation. Structuring a well-organised, practical and realistic parenting plan for each unique family means that professionals, parents and children all work together to create a well functional post-divorce family where all members' needs are met (Robinson et al., 2011:240).

"Draft the plan as fast as possible, as your child is already facing trauma and challenges because of the divorce and need not be in an unstable environment. Children should be protected from further sadness and pain." - Participant 28

One of the most important recommendations to professionals is the way in which they draft parenting plans. Participants deem all families as unique and having their own family dynamics. Professionals should respect the uniqueness of each family and time spend

with families drafting parenting plans and enough time be allocated; their uniqueness needs to be acknowledged by not completing the same questionnaire as if only part of the statistics in South Africa. Professionals focus must be on the family sitting in front of them and not rush as another appointment is waiting. For most families, their parenting plan is real and not simply another form.

"Professionals must treat all families as unique and make time for them and remember that a parenting plan cannot be drafted after one session." – Participant 39

- *"I still believe that one size does not fit all. In the start things are difficult, but both parents and professionals should agree that the more information you have, the better decisions can be added in your plan."* – Participant 40
- *"It is very important to draft a parenting plan under the suitable professional, do not settle for a few sentences in your settlement agreement to raise your children after divorce, as it does not cover everything that your child needs."* – Participant 30
- *"Professionals must focus on the family sitting in front of them, give them all your attention and do not rush to consult with the next client."* – Participant 32
- *"Do not treat all families the same, as every case is unique and should be treated as individuals. Every divorce is not the same and a generic form will not have the desirable outcome for all families."* – Participant 33
- *"It is important to make time for the family who pays for their appointment. Do not book your clients close to each other, then you hurry and make the individuals not feeling important. Please do not rush, as a family's well-being depends on your professionalism."* – Participant 28

Families are not simply a collection of individuals, they are a whole larger than the sum of its parts and each family is unique. Eddy (2014:39) states that a change in the family situation means readjustment of the total system and every single member of this system. Families' functioning, rules, routine, values, principles and boundaries ought to be recognised otherwise the family might interpret it as a lack of respect or rejection. The

researcher supports the participants when they address each family as unique and different from the other.

7.4 SUMMARY OF EMPIRICAL FINDINGS

The different themes and sub-themes extracted from the data gives a clear indication that the drafting of parenting plans in South Africa is a complex and tedious process. Different opinions of a parenting plan and what ought to be included is clearly stated. Most participants value the importance of a parenting plan after divorce as they experience it gives structure, eliminates conflict and protect all members included.

Participants were clear on all the factors they regard influence the implementation of parenting plans in practice and it correlates with the literature study done. The process of drafting a plan is not consistent and individual professionals interpret it based on experience and the way they regard as most suitable. The process differs from professions and are clearly not standardised.

Parents are positive that it was relatively easy to obtain professionals adequate to draft parenting plans. It is interesting to obtained information that some parents drafted their own parenting plan with remarkable success. Parents identified that most did not have enough knowledge around the process of drafting a parenting plan or where they should start and with which profession.

With regards to the involvement of family members there was a huge discrepancy as to who should be included and whether children should form part of this process. From all forty interviews, only a few children were assessed by the professional drafting the plan or referred for therapy to clarify the child's wishes. There are only a few well-developed processes in place for the involvement of individual family members when drafting a parenting plan.

From the qualitative research findings, a relatively small percentage of participants regarded parenting plans as effective. Participants mentioned drafting a parenting plan is often still another obligation and a paper exercise. Some findings with regards to the recommendations made to both parents and professionals need not be negative, but rather be regarded as a way in which growth can take place and more processes developed – as the implementation of parenting plans is still a new concept for both families and professionals to get used to.

The second phase of the mixed methodology study will provide more insight into the concepts of parenting plans from the perspectives of professionals involved in intervention with divorcing parents, the processes used and in the end of this study valuable ideas and a checklist can be drafted to highlight some concerns and make the implementation of parenting plans more successful.

CHAPTER 8
QUANTITATIVE RESEARCH FINDINGS

8.1   INTRODUCTION

The goal of this study is to explore and describe factors influencing the implementation of parenting plans in South Africa. The purpose of this chapter is therefore to describe the views of professionals in practice on the implementation of parenting plans and explore their recommendations for effective parenting plans. The essence of this chapter is the content and results of a quantitative investigation around the views of professionals in practice on the implementation of parenting plans and to explore their recommendations for effective implementation of parenting plans in South Africa. The quantitative data will be discussed in chronological order of the questionnaire and concluded with a summary.

8.2   QUANTITATIVE DATA ANALYSIS

The data gathered from the questionnaire completed by professionals working with divorced families and parenting plans in practice was done with a quantitative research approach. Fouchè and Bartley (2011:249) and Pietersen and Maree (2016:204) identified that quantitative data in professional research can be analysed manually or with computer programmes. The data analysis process started with deciding on the measurement level of the data that the researcher collected, for instance is the data nominal, ordinal, interval or ration levels. In the present study, nominal variables were utilised to indicate to which group a subject belonged.

The researcher followed the process of quantitative data analysis as explained in Chapter six.

In the current study the correlation between training in parenting plans and the different professions, the experience in divorce, parenting plans and drafting parenting plans and the professions, the factors that the professionals regard influence the parenting plan and

professions, attendance of sessions and the professionals opinion, the use of a template/questionnaire in the drafting of parenting plans and professionals, education of parents and professionals and whether the writing of parenting plans must become a specialised field and the opinion of professionals were statistically tested.

8.3   QUANTITATIVE EMPIRICAL FINDINGS

In the quantitative phase, a questionnaire (see Appendix E) developed after using the themes identified in the qualitative data, was used. A pool of survey items was developed for each category based on the interview data and informed by the literature (Plano Clark & Creswell, 2008:532).   The data was collected with the questionnaire and was subsequently administered to a sample of professionals (n=81). The sample consisted of professionals and included advocates, family advocates, lawyers, psychologists, mediators and social workers who in practice work with or have extensive knowledge of parenting plans, divorce and families with children. The questionnaire consisted of mainly close-ended questions for greater uniformity of responses and easy processing (Babbie, 2011:272). The degree, frequency and comprehensiveness of parental divorce and parenting plans can be ascertained with meaning when using close-ended questions. Kumar (2005:132) states close-ended questions force respondents to choose an answer from a limited number of options and have the advantages of making comparison of responses simple, allowing quick processing and ensuring the relevance of responses. The options will be exhaustive and mutually exclusive.

Based on the information provided by Creswell (2014:159), Delport and Roestenburg (2011:188) Maree and Pietersen (2016:176) and Milne (2006:24), the researcher decided to make use of questionnaires because of the following advantages: they are quick to administer, it would be useful for the screening of the large number of respondents, little administration is needed, it is statistically-based and therefore more evident, a representative sample is highly possible, questions are standardised throughout, respondents can take their time and think about their responses, low cost and if properly piloted the questionnaire can be used in other studies.

The information that was gathered will be presented and discussed in chronological order matching the sixteen sections of the questionnaire. These sections include:

- Biographic details of respondents;
- Training in parenting plans;
- Experience in working with families whom divorce and make use of parenting plans;
- Factors influencing the implementation of parenting plans;
- Individuals attending the sessions when drafting parenting plans;
- Practical steps when drafting a parenting plan;
- Topics that result in most conflict between parents, and
- The process professionals use when drafting a parenting plan.

8.4   BIOGRAPHIC DETAILS OF RESPONDENTS

A total of 81 respondents (N=81) from the Gauteng, Western Cape, Free State and Northwest Province voluntarily participated in the study. During the formal proposal the researcher indicated that respondents will reside in Gauteng, but due to poor feedback the other Provinces were included. The researcher obtained the information of professionals working with parenting plans from the South African Association of Mediators (SAAM) and the Family Mediators' Association of the Cape (FAMAC). The professionals were contacted via e-mail, and the research was explained. The consent form and questionnaire were then emailed to all professionals. The biographic details of respondents include gender, age, profession and highest qualification. It was important for the researcher to include these questions with regards to the respondents' biographical details, profession and qualification to obtain a complete profile of the respondents.

8.4.1 Biographical profiles of respondents

The following table provides an overview of the biographical profile of respondents who participated in the study.

Table 8.1: Biographical profiles of respondents who participated in the quantitative part of the research

Code	Gender	Age	Province	Profession	Highest Qualification
AO 01	Female	25	Gauteng	Social worker	BA Social Work
AO 02	Female	28	Gauteng	Attorney	B. Proc. Degree
AO 03	Female		Gauteng	Psychologist	MA Clinical Psychology
AO 04	Female		Gauteng	Social worker	MA Social Work
AO 05	Female	26	Gauteng	Social worker	BA Social Work
AO 06	Female	24	Gauteng	Social worker	
AO 07	Female	26	Gauteng	Social worker	BA Social Work
AO 08	Female	25	Gauteng	Social worker	BA Social Work
AO 09	Female		Gauteng	Social worker	BA Social Work
AO 10	Female		Gauteng	Social worker	BA Social Work
AO 11	Female	42	Gauteng North West	Attorney	B. Proc. Degree
AO 12	Female	40	Gauteng	Attorney	LLB
AO 13	Male	46	Gauteng	Advocate	
AO 14	Male	42	Gauteng	Psychologist	BA Clinical Psychology
AO 15	Male		Gauteng	Attorney	
AO 16	Female	49	Gauteng	Psychologist	D. Litt. et Phil
AO 17	Female	43	Gauteng North West	Attorney	B. Proc. Degree
AO 18	Male	59	Gauteng North West	Attorney	B. Proc. Degree
AO 19	Female		Gauteng	Psychologist	MA Clinical Psychology
AO 20	Female		Gauteng	Social worker	MA Social Work
AO 21	Female	44	Gauteng	Family advocate	LLB
AO 22	Male	42	Gauteng	Family advocate	

AO 23	Male	58	Gauteng	Social worker	BA Social Work
AO 24	Female	0	Gauteng	Attorney	
AO 25	Female	57	Gauteng	Psychologist	DPhil Clinical Psychology
AO 26	Female	47	Gauteng	Social worker	Diploma Social Work
AO 27	Male	39	Gauteng	Advocate	LLB
AO 28	Female	37	Gauteng	Social worker	BA Social Work
AO 29	Female	31	Gauteng	Social worker	BA Social Work
AO 30	Female	46	Gauteng Western Cape	Mediator	Post Graduate Degree
AO 31	Female	52	Gauteng	Family advocate	
AO 32	Female	33	Western Cape	Other	Bachelor's Degree
AO 33	Female	60	Western Cape	Psychologist	DLitt et Phil
AO 34	Female	35	Gauteng	Social worker	
AO 35	Female	39	Western Cape	Attorney	
AO 36	Male	28	Western Cape	Attorney	LLM
AO 37	Male	54	Gauteng Western Cape	Mediation practitioner	BA Law PGD in ADR
AO 38	Female	35	Western Cape	Attorney	LLB
AO 39	Female	28	Western Cape	Family mediator	BA Honours Psychology H.D.E.
AO 40	Female	30	Western Cape	Attorney	LLB
AO 41	Female	45	Western Cape	Accredited mediator	Degree
AO 42	Male	61	Western Cape	Advocate	LLB BMW Hon
AO 43	Female	28	Gauteng	Social worker	
AO 44	Male	48	Gauteng	Mediator	MA Social Work
AO 45	Female	44	Gauteng	Advocate	LLB
AO 46	Male	29	Gauteng	Social worker	MA Social Work
AO 47	Female	44	Gauteng	Social work	MA Social Work
AO 48	Male	48	Gauteng	Advocate	LLB
AO 49	Female	28	Gauteng	Mediator	BA Honours Psychology
AO 50	Female	38	Gauteng	Mediator	BA Honours Psychology
AO 51	Female	58	Gauteng	Other	B. Com Accounting BA Psychology
AO 52	Male		Western Cape	Mediator	Bachelor's Degree

AO 53	Female	31	Gauteng Western Cape	Attorney	LLB
AO 54	Female	59	Western Cape	Social worker attorney	MA Social Work B. Proc. Degree
AO 55	Female	56	Western Cape	Attorney family advocate	B. Proc. Degree
AO 56	Male	28	Gauteng Western Cape	Advocate	Degree
AO 57	Female	63	Western Cape	Psychologist	MA Clinical Psychology
AO 58	Male		Western Cape	Other	Bachelor's Degree
AO 59	Male	64	Free State	Advocate mediator	LLB
AO 60	Male	56	Western Cape	Industrial psychologist	BA Honours Psychology
AO 61	Female	28	Gauteng	Psychologist	BA Honours Psychology
AO 62	Female	61	Gauteng	Other	LLB
AO 63	Female	45	Western Cape	Mediator	Degree
AO 64	Female	42	Gauteng Free State	Attorney	LLB
AO 65	Male	48	Gauteng	Mediator	BA Bed Honours
AO 66	Male	48	Gauteng	Mediator	BA Honours Psychology
AO 67	Male	30	Gauteng North West	Advocate	LLB
AO 68	Female	59	Western Cape	Family advocate	LLB
AO 69	Female	28	Western Cape	Advocate	
AO 70	Female	34	Western Cape	Attorney	LLM
AO 71	Female	49	Gauteng Western Cape	Family mediator	Post Graduate Degree
AO 72	Female	28	Western Cape	Attorney	Post Graduate Degree
AO 73	Female	40	Western Cape	Attorney	LLB
AO 74	Male	47	Western Cape	Family advocate	LLM
AO 75	Female	28	Western Cape	Attorney	
AO 76	Female	28	Western Cape	Attorney	LLB
AO 77	Female	42	Gauteng Free State	Attorney	LLB
AO 78	Female	58	Gauteng	Psychologist	BA Psychology

AO 79	Female	28	Western Cape	Attorney	LLB
AO 80	Male	54	Western Cape	Attorney	LLB
AO 81	Male	28	Gauteng Western Cape	Attorney	LLB

The table above provides the biographic details of the respondents. A total of eighty-one (N=81) respondents participated in the research and completed the questionnaire. The biographical information of the respondents included gender, age, province, profession and highest qualification. Each variable will be discussed separately.

8.4.1.1 Gender

From the total number of 81 respondents (N=81) who participated in the study, 23 (28.4%) were male and 58 (71.6%) were female. The male and female respondent distribution is illustrated in Figure 7.1.
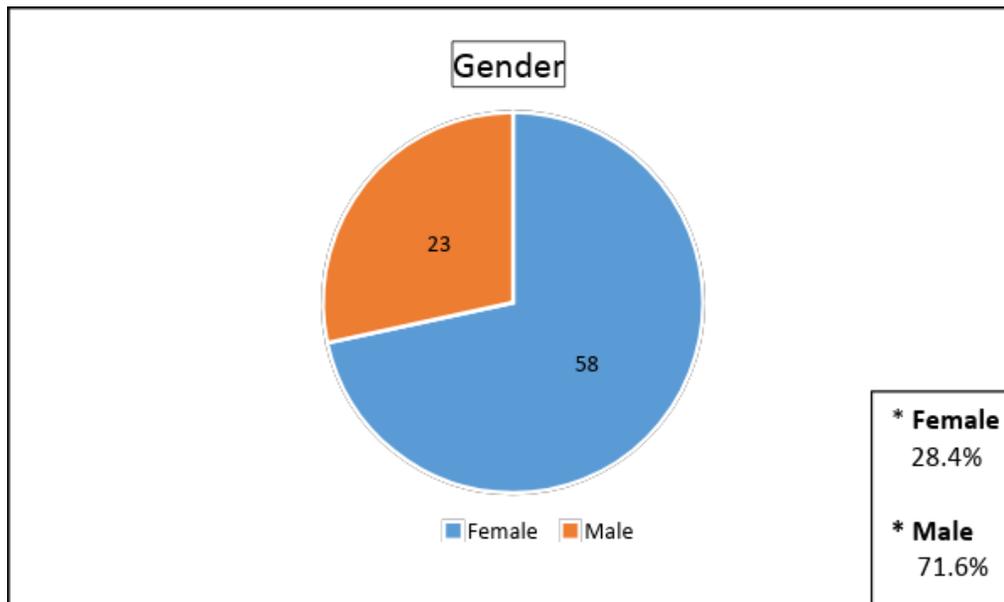
Figure 8.1: Gender of respondents (N=81)

8.4.1.2   Age
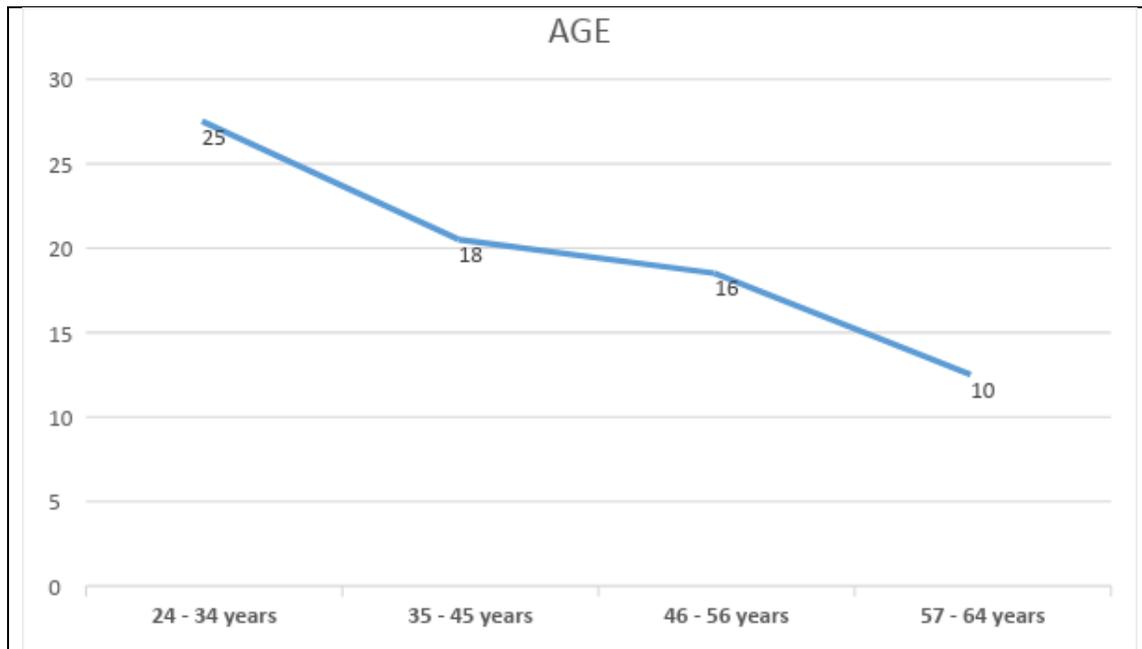
Figure 8.2: Age of respondents (N=71)

The mean age of the respondents was 44 (forty-four). The youngest respondent was 24 (twenty-four) and the eldest was 64 (sixty-four). Most respondents were in the category 24 to 34 years. From the 81 respondents, 10 (ten) did not disclose their age. The South African judicial system has contributed meaningfully to the improving, promoting and protecting of children's rights to processing children's issues (Situational Analysis of Children in South Africa, 2009).

8.4.1.3   Province

From the 81 (N=81) respondents, fifty-three (65,4%) come from Gauteng Province, thirty-three (40,7%) from Western Cape, three (3,7%) from the Northwest Province and three (3,7%) from Free State. It is important to take note that some respondents indicated that they work in more than one Province, as illustrated in Figure 8.3.
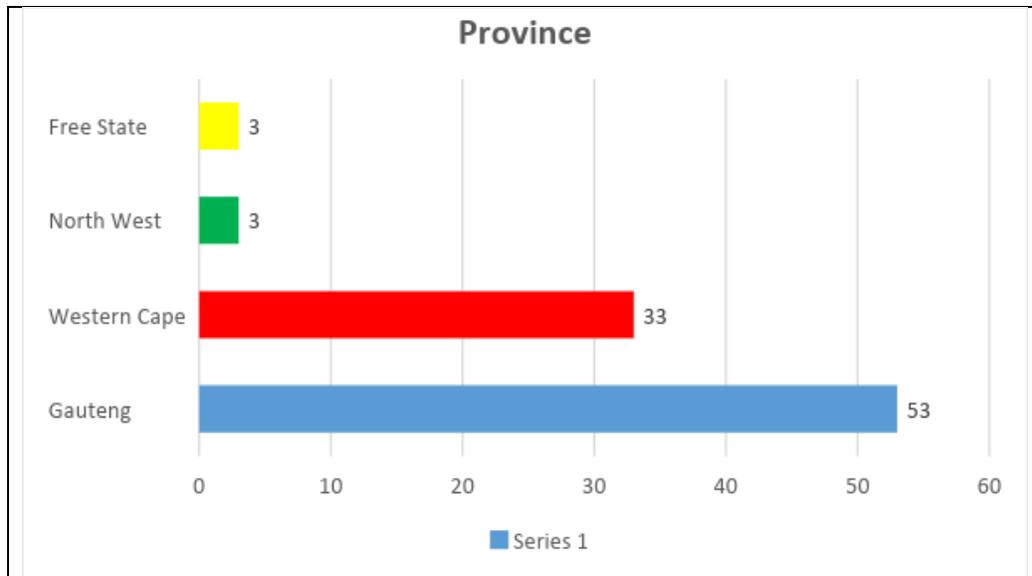
Figure 8.3: Province of respondents

It is important to take note that the researcher initially projected that she would only use respondents from Gauteng for her sample. Unfortunately, only 31 professionals responded to the questionnaire in Gauteng. After the first data analysis received it was reported that the sample was very small, and the researcher was advised to add some respondents to her sample. The researcher contacted SAAM (South African Association of Mediators) and FAMAC (Family Mediators Association of the Cape), to obtain the details from their registered mediators. The individuals who indicated willingness to voluntarily participate were contacted via email and the informed consent/questionnaires were emailed. The feedback included professionals from all professions and a wide range of expert advice was obtained.

8.4.1.4 Profession of participants

From the total number of 81 respondents who participated in the study, 21,5% were social workers; 10,1% were psychologists; 30.4% were attorneys; 10.1% were advocates; 6.3% were family advocates and 21.5% indicated that they were from other professions. The other professions include accredited mediators, mediators, family mediators and an accountant. The profile of the respondents indicates that the resondents represent the professions as indicated by the Children's Act (38 van 2005) authorised to draft parenting

plans. The participants are in a position of authority to comment on the implementation of parenting plans in practice and to give credible input – based on their academic qualifications and professional experience.
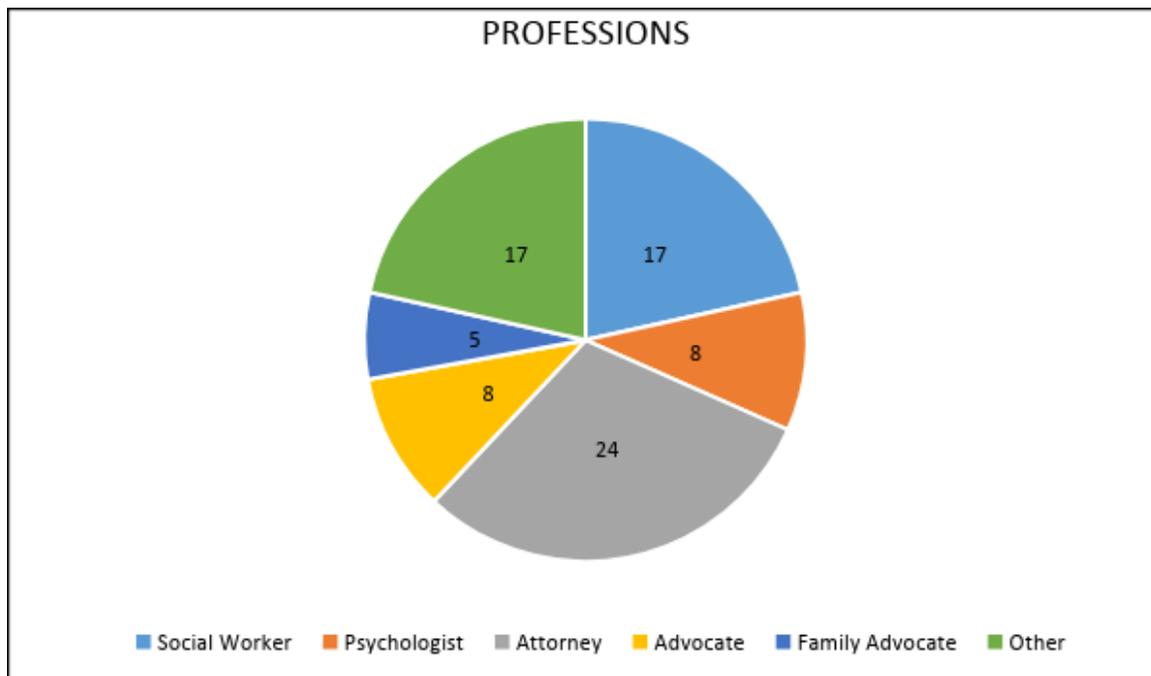
Figure 8.4: Profession of participants

In the current study, interval level variables were reduced to an ordinal measurement level by collapsing discrete values into ranges. For example, the 81 (N=81) respondents were divided into two separate groups - the mental health professionals included the social workers, psychologists and other (mediators) and the law professionals included attorneys, advocates and family advocates – for the use of statistical significant associations between variables a cross-tabulation later in the chapter. Pietersen and Maree (2016:205) suggest a cross-tabulation is a useful tool to classify respondents based on two qualitative variables simultaneously.

The figure below gives an indication of the two newly established groups:
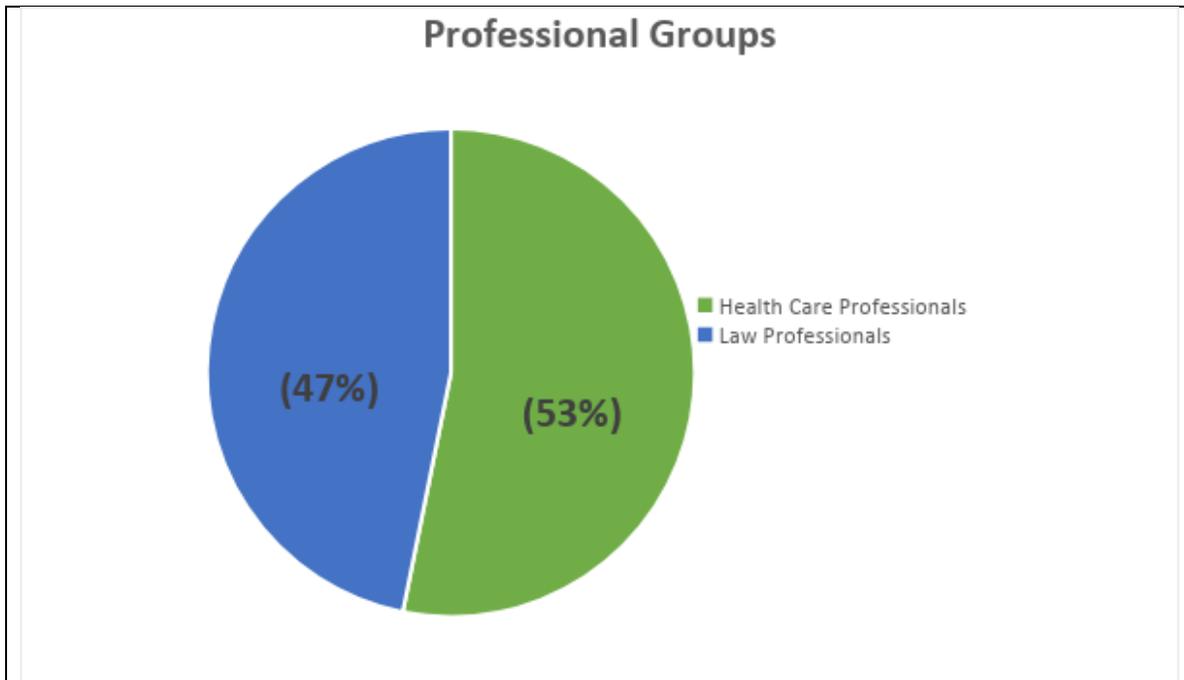
Figure 8.5: Respondents in professional groups

According to the *Oxford Dictionary* (2010) a mental health professional is a health care practitioner or community services provider who offers services for improving an individual's mental health or to treat mental disorders. Psychologists, social workers, family and marriage counsellors and mediators are all included in this group. A legal professional is a professional who develops and applies the law; usually these individuals first need to obtain a law degree or some other form of legal education before entering these professions or furthering their studies. Attorneys, lawyers, advocates, family advocates and prosecutors are included in this profession (*Oxford Dictionary*, 2010).

The researcher decided to divide these professionals into two groups, since according to the Children's Act 38 of 2005 these professionals are all permitted to draft parenting plans and are most suitable for consultation during divorce related matters.

8.4.1.5   Highest qualification

The highest qualification of professionals is captured in the table following:

Table 8.2: Highest Qualification

Qualification	Frequency (f)	Percent (%)
Diploma Social Work	1	1.2%
Bachelor's Degree	1	1.2%
BA Social Work	9	11.1%
BA Clinical Psychology	2	2.4%
BA Law	1	1.2%
B. Proc. Degree	5	6.1%
BA Honors Psychology	7	8.6%
B. Com Accounting	1	1.2%
Degree	3	3.7%
MA Clinical Psychology	3	3.7%
MA Social Work	6	7.4%
LLB	20	24.6%
LLM	3	3.7%
DLitt. Et Phil	2	2.4%
DPhil. Clinical	1	1.2%
Post Grad Degree	3	3.7%
No Indication	13	16.0%
TOTAL	**81**	

The highest qualification of the 81 (N=81) respondents in the present study ranged from BA degrees in Social Work and Clinical Psychology to Doctorate degrees. From the professional respondents the majority (24.6%) have an LLB, seven (8.6%) have an Honours in Psychology, six (7.4%) have a Master's in social work and thirteen (16%) did not indicate their qualification. Only one respondent (1.4%) has a Diploma and not a Degree. The overall qualifications of the respondent are of a high standard and they seem to be qualified for the field they are working in.

Robinson et al. (2011:238) explain that it is imperative that a sound and well-structured parenting plan can only be drafted by competent, well-informed and appropriately qualified professionals. Robinson (2010:53) further mentions that most professionals have limited experience with regards to parenting plans in South Africa. Drafting parenting plans in

South Africa is not a "relatively new" concept anymore, as the Children's Act was accepted in 2005, thus meaning it is thirteen years since its promulgation.

8.5 TRAINING IN TERMS OF PARENTING PLANS

Professionals reported about their training as follow:

Table 8.3: Professionals' training in terms of parenting plans

Training	Total	Percentage
Only university degree for profession	21	25.9%
Intensive training by accredited service provider	38	46.9%
Short course	21	25.9%
Self-study	21	25.9%
Other	6	7.4%
None	-	-

The above table indicates the training of the respondents in terms of parenting plans. From the 81 (N=81) respondents only thirty-eight (46.9%) received intensive training from an accredited service provider. This is a concerning percentage of professionals who were trained besides their graduate qualification for their profession. In their study around the legal instruments to consider in structuring parenting plans (Robinson et al., 2011:239), one of the concluding factors was that all professionals working with parenting plans in South Africa need to be well qualified in the field of parenting plans. These researchers further state that one critical factor for parenting plans failing families is that only a few professionals have received adequate training and, in the end, deliver a parenting plan that is not child-centred or is of inferior quality.

The prerequisite of writing successful and workable parenting plans is experience and from the above table, 50% of the respondents' training is through self-study or short courses. In practice, the researcher, can attest that training is a huge problem when parenting plans are merely a copy of a previously-drafted template. The responses confirm that not all the professionals are trained by accredited service providers.

Table 8.4: Training in parenting plans

Training	Health care professionals	Law professionals	Total	Fisher's exact test (p-value)
University degree for profession	10 (23.8%)	11 (29.7%	21 (26.6%)	0.615
Accredited service provider	19 (45.2%)	17 (45.9%)	36 (45.6%)	1.000
Short course	13 (31.0%)	8 (21.6%)	21 (26.6%)	0.446
Self-study	11 (26.2%)	10 (27.0%)	21 (26.6%)	1.000

N=81

The following sections focus on the respondents' own experience in the fields of working with divorce matters in practice, working with parenting plans in practice and their experience with drafting parenting plans in practice. Three questions were asked to gain insight into the respondents' own experience of divorce and parenting plans, as will be discussed next.

8.6 PROFESSIONALS EXPERIENCE IN WORKING WITH DIVORCING FAMILIES AND PARENTING PLANS

In the following section, respondents were required to reflect on their experience of working with families who experienced divorce in practice. This section consists of three Likert type questions and respondents could choose: 1= very limited, 2 = limited, 3 = adequate, 4 = sufficient or 5 = extensive. The first question was based on the respondents' experience in working with divorce in practice, the second question enquired around the respondents' experience in working with parenting plans and with the last question the respondents had to indicate their own experience in drafting parenting plans in practice. The researcher deems it important to explain that working with parenting plans or divorce is an indication that the professional has experience in both these matters, while drafting refers to the more comprehensive task of being actively involved in compiling a parenting plan.

8.6.1 Experience working with divorce matters

The respondents reported on their experience in working with divorce matters as follow:

Table 8.5: Experience working with divorce matters in practice

Experience working with divorce matters	Frequency	Percentage
Very limited	2	2.4%
Limited	5	6.3%
Adequate	13	16.3%
Sufficient	27	33.8%
Extensive	34	42.5%
Total	80	100%

N=81

According to the above table thirty-four (42,5%) of the respondents stated that they have extensive experience in working with families going through divorce. Twenty-seven (33.8%) respondents reported they have sufficient experience in working with divorce matters in practice. The remaining nineteen (23,9%) of the respondents indicate adequate to limited experience. One (1) respondent did not answer the question.

Table 8.6: Experience of different professionals

Experience	Mental Health Professionals	Law Professionals
Very limited	0 (0.0%)	1 (2.7%)
Limited	5 (11.9%)	0 (0.0%)
Adequate	11 (26.2%)	2 (5.4%)
Sufficient	12 (28.6%)	15 (40.5)
Extensive	14 (33.3%)	19 (51.4)
Total	42	37
Fisher's Exact Test (p-value)	*0.005	

N = 81 * Indicate statistical significance

Table 8.6 reveals that there was a statistical association between the respondents' professions and their experience in working with divorcing families in practice. The ø value is 0.005 which is considered a small effect size. Table 8.6 further illustrates that only 33.3% mental health professionals report extensive experience in working with divorce

matters, while 51.4% law professionals indicated that they have extensive experience. The reality of this matter is that families follow the legal route when they decide to get divorced and Preller (2013:41) acknowledges that the draft of a parenting plan is part of the divorce process. Later in the chapter, with the professionals' description of the process followed while drafting parenting plans, it is also indicated that lawyers and advocates are of the opinion a parenting plan is an extension of the divorce settlement.

According to the latest statistics of divorce in South Africa, the divorce rate is increasing alarmingly, and it has been announced that the current divorce rate (2016) is at its highest (Statistics South Africa, 2018:8). In 2016, there were 13 922 (55%) divorce cases reported in South Africa with children younger than 18 years. These newly released statistics alert that families are in jeopardy and children are at risk. As noted by Ahrons (2013:6), divorce redefines families and during this process enormous changes will take place within the family and societies at large. During this process of restructuring from a nuclear to a binuclear family, these families need support and the assistance of experienced professionals in coping with these changes.

Eddy (2014:6) agrees with the dramatic changes the increase of parental divorce have on societies and explains that a total shift is taking place from a rigid family to flexible family structures (Eddy, 2014:6). These changes in families in our social systems have an unpredictable effect on the future of family systems and on social systems. All professionals working with families during the process of divorce should be aware that the roles of the individuals in the family will probably change but this change does not necessarily eliminate the parent-child unit (Ängarne-Lindberg (2010:11). Experienced professionals will be able to better assist divorcing parents and the children involved.

8.6.2 Experience in working with parenting plans in practice

Professionals responded about their experience in working with parenting plans in practice.

Table 8.7: Experience in working with parenting plans

Experience working with parenting plans	Frequency	Percentage
Very limited	2	2.5%
Limited	8	10.0%
Adequate	16	20.0%
Sufficient	25	31.3%
Extensive	29	36.3%
Total	80	100.0%

From the 80 (N=80) respondents twenty-nine (36.3%) said that they have extensive experience in working with parenting plans, while twenty-five (31.3%) reported to have sufficient experience and sixteen (20%) said that their experience was adequate. The remaining 12.5% deemed their experience in working with parenting plans as limited.

Table 8.8: Experience of professionals with regards to working with parenting plans in practice

Experience	Mental health professionals	Law professionals
Very limited	1 (2.4%)	1 (2.7%)
Limited	8 (19.0%)	0 (0.0%)
Adequate	9 (21.4%)	7 (18.9%)
Sufficient	9 (21.4%)	16 (43.2)
Extensive	15 (35.7%)	13 (35.1)
Total	42	37
Fisher's Exact Test (p-value)	***0.019**	

N = 81 * Statistical significance

Table 8.8 reveals a statistical association between the respondents' professions and their experience in working with divorcing families in practice. The ø value is 0.019 and is considered a small effect size. From table 8.8 it is noted that both mental health professionals and law professionals reported to have extensive experience of working with parenting plans. However, more of the law professionals (43,2%) reported that they have sufficient experience in working with parenting plans in practice, as compared to the 21,4% of the health care professionals.

In the study that Hartson and Payne (2006:9) and Swerdlow-Freed (2010:1) have done it was suggested that families and attorneys trust the mental health professionals (in this research, health care professionals) more when drafting parenting plans, due to their experience in child development, psychology and relationship experience. In this research study and as indicated in the responses in Table 8.8, law professionals and health care professionals reported similarly.

Robinson et al. (2011:239) suggest that professionals working with parenting plans in practice ought to be well qualified in the field of parenting plans, including a comprehensive understanding of the legal sections underpinning these plans. These researchers emphasise that professionals with limited knowledge and basic understanding of the principles underlying parenting plans do not qualify them to work in this complex field. This study indicates that the health care professionals in the study sample still experience that they lack in legal experience of parenting plans.

Eddy (2014:6) explains that the increase of parental divorce in the world has dramatic changes in our societies. A shift is taking place from rigid families to flexible family structures (Eddy, 2014:6). The changes in families have an unpredictable effect on the future of family and social systems. The fact that the divorce statistics still rise, signifies the continuous changes in societies.

8.6.3 Experience in drafting parenting plans in practice

Not all the respondents had the same experience in drafting parenting plans.

Table 8.9: Experience in drafting parenting plans

Experience in drafting parenting plans	Frequency	Percentage
Very limited	4	5.0%
Limited	7	8.8%
Adequate	16	20.0%
Sufficient	26	32.5%
Extensive	27	33.8%
Did not answer	1	1.2%
Total	80	100%

The table above gives a clear indication of the 81 (N=81) respondents' experience in drafting parenting plans in the present study. Twenty-seven (33.8%) indicate extensive experience in drafting parenting plans in practice and twenty-six (32.5%) reported to have sufficient experience in drafting these plans. Sixteen (20%) have adequate experience, seven (8.8%) stated that their experience is limited and 4 (5%) very limited. Overall (66.3%) the professionals indicate their experience in drafting parenting plans is sufficient.

Table 8.10: Professions experience in drafting parenting plans in practice

Experience	Health care professionals	Law professionals
Very limited	2 (4.8%)	2 (5.4%)
Limited	7 (16.7%)	0 (0.0%)
Adequate	9 (21.4%)	7 (18.9%)
Sufficient	10 (23.8%)	16 (43.2%)
Extensive	14 (33.3%)	12 (32.4%)
Total	42	37
Did not answer	2	0
Fisher's Exact Test (p-value)	*0.054	

N = 81 *Statistical Significance

Table 8.10 clearly shows a tendency between the respondents' professions and their experience in working with divorcing families in practice. Table 8.10 indicates that the extensive experience of both professional groups, as indicated by them, are close at 33.3% and 32.4%. The indication of their sufficient experience of drafting parenting plans are again overruled by the law profession (43.2%) against the mental health professionals (23.8%). In the other ranking with regards to experience with drafting parenting plans, the health care professionals indicated to be more experienced in drafting parenting plans in practice.

Robinson et al. (2011:239) mention that professionals cannot only rely on their own understanding of the terms used in parenting plans, but they should be well qualified in the field of parenting plans to deliver plans of high standard. It is important to remember that the drafting of parenting plans is not a new concept for South Africans as stated by

Robinson et al. (2011:238), as this concept has been part of the Children's Act for the past thirteen (13) years. The researcher agrees with Robinson et al. (2011:238) that all professionals are not fully trained by accredited service providers.

The health care professionals might have more experience in child development, psychology and marriage relationships, while the law professionals are stronger in legislation. The principle remains that these parenting plans must be child-centred, family-orientated and workable for the needs of the blended families (Gildenhuys, 2015:8).

8.7 FACTORS INFLUENCING THE SUCCESS OR FAILURE OF PARENTING PLANS

It is important to establish the professionals' opinion of factors having an influence on the overall implementation of parenting plans in South Africa. The fact that professionals are from different professions will give a broad indication of the factors professionals struggle with. The researcher divided the responses into two (yes/no) choices.

Table 8.1 provides an overview of the responses to the main factors explored. From the 81 (N=81) respondents 100% agreed that parents should be adaptable in their parenting plan. Most respondents were also of the opinion that if parents have a co-parenting style their post-divorce relationship will have a huge influence on their parenting plan. Only 64% of the mental health professionals agreed that parents should have the same routine in their households, while 73% professionals from the law profession declared that they deem it important. Communication was a factor that both group of professionals stated as a huge factor with of 100% mental health professionals and 97.3% law professionals agreeing. It is clearly noted that 81% of both groups mention that parents must limit their fighting.

Table 8.11: Factors that have an influence in parenting plans

Factors	Mental health professionals		Law professionals		Total		Fisher's exact test (p-value)
	Yes	No	Yes	No	Yes	No	
Parents should be adaptable	42 (100%)	0 (0.0%)	37 (100%)	0 (0.0%)	79 (100%)	0 (0.0%)	Constant
Co-parenting style	40 (95.2%)	2 (4.8%)	35 (94.6%)	2 (5.4%)	75 (94.9)	4 (5.1%)	1.000
Same routine in both households	27 (64.3%)	15 (35.7%)	27 (73.0%)	10 (27.0)	54 (68.4%)	25 (31.6%)	0.472
Communication	42 (100%)	0 (0.0%)	36 (97.3%)	1 (2.7%)	78 (98.7%)	1 (1.3%)	0.468
Parents fighting	31 (81.6%)	7 (18.4%	30 (81.1%)	7 (18.9%)	61 (81.3%)	14 (18.7%)	1.000

N=81

The above were dichotomous questions where the respondents were required to mark yes or no. Most respondents agreed that the above factors had an influence on the implementation of parenting plans. Botha (2011:37), Brink (2009:5), Duchen and Schutte (2008:116), Kushner (2014:334), Preller (2013:41), Robinson (2010:16) and Sanders (2009:68) agree that well-developed parenting plans are important for all divorcing families, as it gives direction to post-divorce life. To avoid any parental conflict, it is of high importance to create detailed, strict and workable parenting plans.

Combrinck (2014:37) states co-parenting and clear communication with less conflict means that the children's needs are met, and that better parenting emerge. The researcher agrees with Nielsen (2011:593) and Warshak (2014:86) that the golden key to co-parenting after divorce is to protect children from parental discord and that all children benefit from the consistency of their parents working together as a team – with the rules clearly drafted in their parenting plan.

Strong and Cohen (2017:52) see the Family Systems Theory as a structure of related subsystems: the spousal subsystem, the parent-child subsystem, the parental subsystem, the sibling subsystem and the personal subsystem. Various parts have certain functions and that the most important task in the end is maintaining boundaries. All communication, interaction, separateness, connectedness, loyalty, independence and adaption to

demanding situations ought to be recognised when going through a divorce as it has an influence on the entire family. Sutphin et al. (2013:502) describe divorce within the Family Systems Theory as the process that changes the family structure and the overall function of the members, which immediately creates disorder. A well-drafted parenting plan can assist parents to re-establish order within their families and systems.

8.8 DRAFTING OF PARENTING PLANS IN PRACTICE

The following section of the questionnaire focused on the process that the professionals follow during the drafting of their parenting plans with the divorcing families.

8.8.1 Individuals attending the sessions

During the planning sessions of drafting parenting plans the researcher deemed it important to see whether the professionals included both parents and children.

Table 8.12: Individuals attended the planning sessions

Profession	Both parents attended the session		Totals	Fisher's exact test (p-value)
	Yes	No		
Mental health professionals	40 (97.6%)	1 (2.4%)	41 (100%)	
Law professionals	28 (82.4%)	6 (17.6%)	34 (100%)	*0.042
Total count	68 (90.7%)	7 (9.3%)	75 (100%)	

N=75 * Indicates statistical significance

Table 8.12 reveals that there was a statistical association between the two profession groups and whether both parents attended the sessions for drafting parenting plans. Table 8.12 further illustrates that 90.7% of the professionals agreed that they did include both parents in their planning session. From the law profession, 82.4% responded that both parents did attend their session, due to the understanding that in most cases the attorneys, lawyers and advocates normally represent one of the parents in a divorce case.

Kelly (2005:238) and Kushner (2009:330) concur parenting plans and co-parenting after divorce only work when adults want them to work and the only way to be successful is to make joint decisions.

Robinson (2009:37) adds that judges or psychologists do not possess special wisdom or mysterious tests which would determine what is best for the children. Parents know what is best for their children as a legal document does not raise children. Strous (2008:223) supports the ideas of Robinson by adding that parents need to make joint decisions regarding their children and if in disagreement both must try harder. The emphasis of the Family System Theory is not on individual family members, but on how the members interact with each other. This means professionals will look at the communication of family members, the way in which family patterns evolve and how individual personalities affect family members (Benokraitis, 2010:41). A family system consists of more than its members and the interaction between these members. Their patterns of interaction directly influence each other (Strong & Cohen, 2017:52). It is of utmost important that both parents stay involved in their children's lives and play an active role in their development post-divorce.

Table 8.13: Children included in the session

Profession	Including children in the session		Totals	Fisher's exact test (p-value)
	Yes	**No**		
Mental health professionals	25 (64.1%)	14 (35.9%)	39 (100%)	
Law professionals	15 (42.9)	20 (57.1)	35 (100%)	**0.102**
Total count	40 (54.1%)	34 (45.9%)	74 (100%)	

N=74

The above table shows a clear discrepancy between professionals when deciding whether children must attend sessions during the draft of parenting plans. From the law profession 57.1% reported that they do not include children in these sessions, while 64.1% of the mental health profession deem it as very important. The total of whether children should

be part of drafting a parenting plan is 54.1% who acknowledge the inclusion, against the 45.9% who do not agree.

One of the largest contention points with regards to the drafting of parenting plans is that it is often not child-centred. Robinson et al. (2011:228) consider when parenting plans are drafted, the child's wishes, and best interests are easily overlooked. Robinson (2010:138) adds that it is imperative to include the children and a session should be reserved for them. Robinson (2010:138) and Combrinck (2014:49) suggest children be interviewed in an age-appropriate manner and all information regarding their needs, wishes and daily functioning will be established. Robinson et al. (2011:240) end by stating that to deliver effective parenting plans for the divorcing family, all individuals need to be actively involved in the intervention process, as only then can an efficient and realistic parenting plan for the unique family be developed.

Bastow (2009:15), Robinson (2009:79) and Ramolotja (2000:2) mention that the most challenging aspect of a parenting plan is that both professionals and parents lose sight of the main purpose of a parenting plan – that will always remain to have the child's best interests at heart and that it must be child-centred, not parent centred. Robinson et al. (2011:225) reported that professionals do not consult with the children and children are not heard in the process of drafting a parenting plan.

8.9 USING A TEMPLATE OR STANDARD QUESTIONNAIRE

Table 8.14: Using a template/questionnaire

Profession	Using a template /questionnaire in the session		Totals	Fisher's exact test (p-value)
	Yes	**No**		
Mental health professionals	23 (56.1%)	18 (43.9%)	41 (100%)	
Law professionals	15 (42.9%)	20 (57.1%)	35 (100%)	**0.357**
Total Count	38 (50.0%)	38 (50.0%)	76 (100%)	

N=76

Table 8.14 reveals that the use of a template or standard questionnaire is a debatable factor, as half of the respondents acknowledged that they did make use of a questionnaire to complete the parenting plan. From all the respondents 50% agree to using a template and 50% noted that they do not. It is up to every professional individual to make an informed decision around the use of a template. On the one hand a template gives direction for the inclusion of all aspects as given by the Children's Act (38 of 2005). While some professionals follow other processes to complete a parenting plan.

Robinson et al. (2011:238) stated that it is imperative to assist professionals with substantive and comprehensive guidelines that give directions towards the process structure and general content of parenting plans to equip professionals to deliver competent and high-quality parenting plans. There is a stark difference between guidelines and the use of a template where only the basic personal information is changed.

8.10   EDUCATION OF PARENTS DURING THE SESSION

Table 8.15: Education of parents during the intervention sessions

Profession	Education of parents about parenting plans during the session		Totals	Fisher's exact test (p-value)
	Yes	**No**		
Mental health professionals	41 (97.6%)	1 (2.4%)	42 (100%)	
Law professionals	32 (88.9%)	4 (11.1%)	36 (100%)	**0.175**
Total	73 (93.6%)	5 (6.4%)	78 (100%)	

N=78

From the total of 78 (N=78) respondents 73 positively confirmed (93.6%) that they educate the parents during their sessions around the process, principles and aspects of the parenting plan. A mere 6.4% of the respondents acknowledged that they do not have time for education during the process. Only three (3.7%) did not answer the question.

8.11 FINANCIAL COMMITMENT

Table 8.16: Financial agreements and contracting

Profession	Giving parents a quote/contract beforehand		Totals	Fisher's exact test (p-value)
	Yes	No		
Mental health professionals	37 (88.1%)	5 (11.9%)	42 (100%)	
Law professionals	29 (78.4%)	8 (21.6%)	37 (100%)	0.363
Total	66 (83.5%)	13 (16.5%)	79 (100%)	

N=79

Table 8.16 clearly indicates that the largest number (83.5%) of respondents make contractual agreements with the parents, which include signing an agreement to work together, financial responsibilities and what the process will entitle. Combrinck (2014:49) adds that a significant part of the first session must be informing the separating and divorcing family about the administrative process of divorce, the legal aspects of divorce, family members' rights and responsibilities, and the process they will go through during the process. Botha (2011:7) adds that financial arrangements are very important and must be agreed upon prior to commencing intervention and structuring the parenting plan.

8.12 PARENTING PLANS AS SPECIALISED FIELD

Table 8.17: Drafting parenting plans as a specialised field

Profession	Drafting parenting plans as a specialised field		Totals	Fisher's exact test (p-value)
	Yes	No		
Mental health professionals	32 (76.2%)	10 (23.8%)	42 (100%)	
Law professionals	28 (75.7%)	9 (24.3%)	37 (100%)	1.000
Total	60 (75.9%)	19 (24.1%)	79 (100%)	

N=79

The above table indicates that 75.9% of all respondents report that the writing of parenting plans become a specialised field. Whether opposing parties in divorce situations employ the service of mental health professionals or legal professionals, the reality remains that these professionals, who are all ethically obliged to provide fair and unbiased plans, too often reach different conclusions (Strous, 2007:225). A factor that too often influence the draft of successful parenting plans is that theoretical differences of opinion between different professions, result in different weight being given to varied aspects which these professionals deem as being important (Strous, 2007:225).

8.13   TOPICS IN A PARENTING PLAN THAT RESULT IN THE MOST CONFLICT BETWEEN PARENTS

The respondents were required to write their own views on their experience of the topics in a parenting plan that result in the most conflict between parents while drafting a parenting plan. From the 81 (N=81) respondents, 93.8% made additional comments or suggestions. This success rate is a clear indication that the implementation of parenting plans in practice result in a vast amount of discrepancies or conflict matters.

According to the 81 (N=81) professionals the following are topics that result in the most conflict between parents:

Table 8.18: Factors that result in most conflict

● Maintenance	Maintenance were captured 33 times.
● Finance	Finance 21 times
● Contact/Contact Restrictions	The issue around contact was mentioned 20 times.
● New Partners	Introducing or contact with new partners were noted 20 times.
● Communication/Lack of Communication	The matter around communication were addressed 10 times.

Other topics that result in conflict between parents are living arrangements, adult/personal issues, routine/rules in both households, visitation schedules, shared parenting, major

decision making and access to the children. Some of the less mentioned, but equally important topics seem to be Parental Alienation Syndrome (PAS), blended families, contact with extended family members, adult pathology, future planning, value systems, not upholding the parenting plan, power imbalances, directions by experts, interpretation of wording and relocation.

Some of the direct quotes from the suggestions written in the open questions are:

- *"Establishing the same routine in both households, as mothers often complain that fathers do not have a proper routine in their homes."* – Respondent 7
- *"Exposure of children to new 3rd parties in other parent's life's."* – Respondent 17
- *"Parental alienation due to personal matters."* – Respondent 19
- *"Time spent with children, biggest problem is the "care" component and this include money and finance are always issues."* – Respondent 32
- *"Payment of maintenance. I feel mediators need specialized training in the field of maintenance. Many cases in divorce mediation are unsettled because mediators have limited skills on this topic. Most cannot do a simple calculation – many cases are unresolved due to not closing this circle."* – Respondent 37
- *"Maintenance and keeping to the agreed contact regime."* – Respondent 40
- *"Pathology – personal disorders, psychiatric disorders, substance use/misuse all these can jeopardize the child's safety."* – Respondent 41
- *"Weekend arrangements regarding the children's busy programs, activities or socializing."* – Respondent 57
- *"Attorneys and some presiding Judges/Magistrates clearly do not understand the importance of a Parenting Plan. In several divorce cases where reference in the court orders are made to the children involved, only the primary care, maintenance, medical aid and school contributions are mentioned while other very important issues are not attended to. In a number of cases wrong information were conveyed to the presiding officers with the result that the wrong information was made orders of the court."* – Respondent 59
- *"Communication styles and the extended family influences."* – Respondent 63

- *"Future changes- moving to a town far away and maintenance if one parent lose his/her income and educational needs of children."* – Respondent 72
- *"Facilitation, post-divorce, being implemented by the parties into their divorce order – causes bigger issues instead of assisting parties. Also, directives by the experts: child psychologists and social workers."* – Respondent 73
- *"Every aspect around the minor children."* – Respondent 74
- *"Conflict about the financial aspects like cost of living, maintenance and education. With young children there is often conflict around midweek sleepovers."* – Respondent 78
- *"Interpretation of wording, relocation of one parent, enrolments of child in a pre-primary class. Difficulty in making joint decisions around minor children."* – Respondent 79
- *"Nature/Duration/Frequency of Contact by alternate parent."* – Respondent 80

The five (5) themes that respondents stated that caused the most conflict during the process of drafting a parenting plan are: maintenance, finance, contact restrictions, introducing a new partner and communication or a lack of proper communication.

Following, the five themes will be discussed individually.

- **Maintenance/Finance**

"Divorce is one of the most financially traumatic things you can go through. Money spent on getting mad or getting even is money wasted." – Richard Wagner

Parents often fight about money and not what their children need (Gildenhuys, 2015:77; Preller, 2013:132; Robinson, 2009:95). Maintenance refer to the provision of financial support for a person's living expenses or the support to provide in these expenses. In this study, maintenance refers to the living costs of the children and each parent's contribution to provide in these needs (Brink, 2009:9). Preller (2013:132) explains that the law is straightforward when addressing the point of maintenance. He concludes that the basic principle is that both parents are liable for maintaining their children – it rests on both parents, according to their respective means. According to both Preller (2013:132) and

Gildenhuys (2015:78) maintenance refer to the support and care of minor children until they are self-supporting. Gildenhuys (2015:77) supports the opinion of the professionals when they noted that maintenance is the topic that creates most conflict during drafting parenting plans and at any given time in any partnership/relationship adults disagree around money; be it the lack of it or even the abundance of it. He supports Preller's opinion that as a parent, both are duty-bound to provide reasonable maintenance for their child/children. Finance refer to the impact divorce has on the household income of both individuals. Divorce is expensive and often possessions, money, financial assets and debt acquired during marriage are divided between former spouses (Preller, 2013:137). The financial burden, for both adults, are greatest during the first year after divorce and both households suffer the finances of a second income. Gildenhuys (2015:77) explains that during divorce, money issues become bigger, due to the dynamics that seemingly multiply and the finances perhaps divided. He adds that it is more than only child-maintenance that are at stake, as the loss of an extra income and the cost of remarriage all contribute to financial difficulty after divorce.

Robinson (2009:95) ends the discussion around maintenance when she states that maintenance paid to the alternate parents must be used for the children's expenses and needs. Parents should never use their child as a mouthpiece to request money from the alternate parent. Robinson (2009:95) recommends that parents be very careful in their conflicts around maintenance or money, especially in front of their children. Parents should never discuss financial matters with children or badmouth the alternate parent with uncalled statements, like: "Ask your mother for money, she receives maintenance", or "Your father never wants to pay." Robinson (2009:95) gives some valuable ways in which parents can approach or handle financial disputes:
- Be reasonable, realistic and rational.
- Both parents should take economic responsibility for their children.
- Maintenance should be used effectively and wisely – a budget can give clear direction for the needs of the children.
- Avoid discussions about maintenance with the children, it is not their responsibility to deliver messages to the other parent.

- Approach the legal team or the maintenance court for any financial dispute.

Regardless of what the divorce papers or parenting plan may state, parents should take full responsibility for their child's needs in the most feasible way they can. Combrinck (2013:52) indicates that a positive co-parenting relationship begins with a parenting plan, which includes a well-defined schedule, mechanisms for addressing major decisions, and an agreement concerning financial responsibilities. Furthermore, parents should be realistic around the use of maintenance and not let their own issues affect their financial support toward their children. Gildenhuys (2015:89) explains that too often personal issues around power and control, which arise from feelings of insecurity and hatred, are played out in the financial issues between parents around maintenance.

- **Contact/Contact Restrictions**

The respondents noted that the second aspect causing the most conflict between parents are that of access or contact, or the restrictions with regards to contact. In most divorce cases, even with the new legislation of shared custody, most children are in care of the one parent (Primary residence) and are allowed contact with the other parent (Preller, 2013:30). This results in considerable amounts of conflict between parents, when they need to establish the contact or restrictions with the other parent or extended family members. Preller (2013:31) explains that every parent has the right to contact with their children on a regular basis. The term that is often used is "reasonable" contact, which does not mean unlimited contact; it means reasonable contact that the child needs to function properly.

De Wit, Louw and Louw (2014:117) offer the best description of contact in their study about contact/involvement between adolescents and their alternate fathers. In their study they give directive to the proposal of Lamb, Pleck and Levine (1996) of contact that needs to have three components. Contact should be interactional, meaning that the father has direct contact with his children through care and shared activities. Contact should be through being available for their children, by being present or accessible always. The last concept refers to taking responsibility for their children. This means that fathers and

mothers should ensure that their children are taken care of and arrange for all resources making sure that they are cared for.

According to the Office of the Family Advocate, on divorce, parties have to retain their full parental responsibilities and rights, including care, contact and guardianship. Provision can be made that the child would be in the primary residence of one or other of the parents, without depriving the other parent of care of the child (Mundalamo, 2016:23). Robinson (2009:23) supports the need for regular contact between parents and children. She explains that withholding contact between parents and children is a form of parent alienation syndrome and results in a negative relationship with one parent.

Robinson (2009:26) explains that often mothers tend to block contact, feeling that it is "inconvenient" or "unsettling" for the child. Buttinger (2012:20) infer that while there remains much debate over which post-divorce adjustment factor is the most damaging to children, there is very little argument over what aids a child most in making a healthy transition: a good relationship between custodial parents and the child.

● **New Partners**

A considerable number of the professionals indicated that introducing a new partner is a huge challenge that parents battle to agree upon in a parenting plan. Robinson (2009:32) supports their statement when she mentions that the most challenging experience in facing a divorce is when one of the partners meets someone else. Too often parents experience that their children be protected against other adults that might play a significant role in their life. Preller (2013:185) adds that parents should not rush into introducing a new partner, as the children need to adapt and work through the loss they have experienced with their parents' divorce. Gildenhuys (2015:37) adds that children should be assured that they will be safe in the new house of their alternate parent before introducing a new partner. Ebersohn and Bouwer (2013:640) explain that divorce influences the child's development and functioning due to step-parents getting involved into conflicting opinions of discipline. This can, from both subsystems, have a negative influence on the child due to the mixed messages the child receives.

Robinson (2009:32) mentions that if parents are happier and more fulfilled in a loving relationship, it is also good for the children, as they see that their parents are happy. She suggests that parents remember when their ex-partner meets someone: be respectful as these adults will be involved in your children's lives, appreciate the fact that the ex-partner has the right to move on, be positive towards the situation and motivate the child to be open to be loved by someone else and be content and happy that the ex-partner has found another "shoulder to cry on".

The researcher, through practical experience, purports that parents should not hastily enter into a new relationship. Both parents and children need time to adjust to the new circumstances and adjust to being alone or separated. All individuals need to settle emotionally and to heal from the pain that the divorce brings. If enough time has gone by, parents must not deprive their children from the opportunity to be loved and cared for by someone else that is good to them.

- **Communication**

Communication is one of the key principles of co-parenting and the success/failure of a parenting plan strongly relies on good, effective communication. Preller (2013:46) clearly states that communication between parents is a vital aspect while drafting a parenting plan. He emphasises that effective communication will assist parents in meeting the child's needs, it safeguards a child from feeling overwhelmed by his/her situations and worries and most importantly it protects children from continuous parental conflict, unhappiness and unrealistic expectations about the relationship between his/her parents. Preller (2013:47) explains that the biggest challenge for professionals working with divorce or the drafting of parenting plans is to assist the parents to communicate in such a manner that the child's needs are met.

Parents need to realise that their relationship with their ex-spouse and children depends on communication – whether verbal or nonverbal; or through interaction; or indirectly through physical, emotional and financial support (Gildenhuys, 2015:126). Parents ought

to find the middle way that works best for them in communicating with each other around their children's needs – whether personal, electronically or paper-based. Conflict usually arises due to the lack of proper communication.

Robinson (2009:38) maintains parents need to communicate with each other for as long as they have children. When parents battle to communicate with each other or in person, communication can be in writing. Ex-spouses must learn to communicate about important aspects of their children, especially if they are small (Robinson, 2009:38).

A well-drafted parenting plan will be clear on ways in which parents can communicate and include a conflict resolution part, when parents struggle to keep it civil. Communication is a key aspect for divorcing parents and children, as this is the only way to keep each other involved and part of minor children's lives. In the present technological context, communication can be effectively done through e-mails, WhatsApp's and electronic SMS.

8.14 DESCRIPTION OF THE PROCESS FOLLOWED WHEN DRAFTING A PARENTING PLAN

The biggest challenge in practice is the process professionals follow when drafting a parenting plan for the divorcing family. The reality seems that every individual, trained for their profession, follows their own process – whether it is a process developed by accredited service providers, their organization, years of practice, a successful format or being set in familiar ways. Robinson et al. (2011:239) pointed out that professionals seem to be ignorant about intervention around parenting plans and too often these challenges result in parenting plans that is not user friendly. Researchers (Botha, 2011:6; Combrinck, 2014:39; Duchen & Dennil, 2005:17; Mundalamo, 2016:70; Preller:2013:40; Robinson et al. (2011:241) are of the opinion that professionals working with parenting plans should be properly qualified to handle all the individuals of the family unit and these professionals should have a comprehensive understanding of the legislation, the complete process of doing a thorough evaluation of all family members and how the process of post-divorce

restructuring works. Professionals cannot support their information gathering sessions for their parenting plans on limited knowledge and understanding of this complex task.

The next section focuses on the process that professionals follow when drafting a parenting plan. The table below is a clear indication of the process that professionals follow with parents when drafting parenting plans. Some professionals include both parents and children in their sessions. Some professionals start their sessions with a contractual phase, where all the administration matters, and financial matters are clarified. Professionals do mediation themselves or refer their client for this service. It is known that professionals often make use of a template or questionnaire to draft a parenting plan and for some professional's educations around the principals of parenting is important. According to the Children's Act (38 of 2005) parenting plans can be drafted voluntarily or as part of a court order. Other refers to professionals that request a full psychological evaluation of parents or children, the completion of personality or parental questionnaires or following any other step out of the ordinary. These responses will give a clear indication of the process or different processes that professions follow.

Table 8.19: Process that professionals follow during drafting of parenting plan

Code	Both parents	Include child	Contract	Mediate	Educate	Refer	Template/ Questionnaire	Court	Other
01 SW	*			*					
02 ATT			*	*					*
03 PSY	*	*			*		*		
04 SW	*	*	*						*
05 SW	*	*		*					
06 SW	*	*	*					*	*
07 SW	*								*
08 SW	*	*	*						*
09 SW	*								*
10 SW	*	*							*
11 ATT			*			*		*	
12 NO	-	-	-	-	-	-	-	-	-
13 NO	-	-	-	-	-	-	-	-	-
14 PSY	*	*	*						*
15 ATT									*
16 PSY	*	*	*						*
17 ATT			*			*		*	

18 ATT			*					*	*
19 PSY	*	*			*		*		*
20 SW	*	*		*					*
21 FA	*			*		*		*	
22 FA	*					*			*
23 SW	*	*					*		*
24 ATT	*								*
25 PSY	*	*				*	*		*
26 SW	*	*	*					*	*
27 ADV			*			*		*	*
28 SW	*	*					*		*
29 NO	-	-	-	-	-	-	-	-	-
30 OTH	*		*	*		*		*	*
31 FA	*			*				*	*
32 OTH	*	*	*	*					*
33 PSY	*			*		*			*
34 SW	*			*					*
35 NO	-	-	-	-	-	-	-	-	-
36 ATT							*		*
37 OTH	*			*	*				*
38 ATT	*							*	*
39 OTH	*				*		*		*
40 ATT	*			*		*		*	*
41 OTH	*			*	*			*	*
42 ADV									*
43 SW	*	*						*	*
44 OTH	*		*					*	*
45 ADV				*		*		*	*
46 SW	*	*	*	*	*				*
47 SW	*	*	*		*		*	*	*
48 ADV									*
49 OTH	*	*		*		*			*
50 OTH	*	*						*	*
51 OTH	*	*		*	*				*
52 ATT	*							*	*
53 ATT			*	*					*
54 SW	*	*							*
55 ATT	*			*		*			*
56 ADV	*			*			*		*
57 PSY									*
58 NO	-	-	-	-	-	-	-	-	-
59 ADV	*	*				*		*	*
60 PSY									*
61 PSY									*
62 OTH	*			*		*		*	*

63 OTH	*		*	*		*		*	*
64 ATT									*
65 OTH	*						*		*
66 OTH	*	*	*	*	*			*	*
67 ADV	*							*	*
68 NO	-	-	-	-	-	-	-	-	-
69 ADV	*			*				*	*
70 ATT									*
71 OTH	*								*
72 ATT	*			*			*		*
73 ATT		*	*			*		*	*
74 FA	*			*				*	*
75 NO	-	-	-	-	-	-	-	-	-
76 NO	-	-	-	-	-	-	-	-	-
77 ATT	*			*			*	*	*
78 OTH	*					*		*	*
79 ATT	*			*	*			*	*
80 ATT	*	*		*			*	*	*
81 ATT	*							*	*

N=81 – Abbreviations: SW (Social worker), ATT (Attorney), ADV (Advocate), PSY (Psychologist), FA (Family advocate), OTH (Other), NO (Nothing completed)

From table 8.19, every professional follows their own process and that with which they are comfortable. From the 81 (N=81) respondents, 90% completed the question. Only 8 (9.8%) did not complete the question. With the above kept in mind the researcher decided to do a cross-tabulation between the experiences that these professionals have with relevant questions:

Table 8.20: Experience in working with parenting plans and whether both parents attended the session

Experience working with PP	Both parents attended session	
	YES	NO
Very limited	1 (50%)	1 (50%)
Limited	8 (100%)	0 (0.0%)
Adequate	13 (86.7%)	2 (13.3%
Sufficient	21 (87.5%)	3 (12.5%)
Extensive	26 (96.3%)	1 (3.7%)
	69	7
TOTAL	76	

● **The Fisher's exact test was 0.194**

Table 8.20 illustrates the respondents' experience in working with parenting plans and whether they included both the parents in their sessions. There was a statistical association between the experience and the inclusion of both parents, as the p=0.194 value indicated a small effect size. It is also clear that from the professionals that had limited experience through to extensive experience decided to include both parents in their sessions.

Table 8.21: Experience in working with parenting plans and including children

Experience working with PP	Children Attended Session	
	YES	NO
Very limited	1 (50%)	1 (50%)
Limited	7 (87.5%)	1 (12.5%)
Adequate	5 (41.7%)	7 (58.3%)
Sufficient	14 (56.0%)	11 (44.0%)
Extensive	14 (50%)	14 (50%)

The Fisher's Exact Test = 0.297

The table above with regards to the professionals' experience and whether they included the children in their sessions did indicate a statistical association of p=0.297. The value of p indicates a small effect size. The above table also illustrates that the professionals are divided in their opinion of whether it is important to include the children or not. All the experience fields indicated that professionals include/exclude the children when they draft parenting plans – except the professionals with limited experience who had an overall (87.5%) agreement that they do include children. It is essential to include the children in the process of drafting a parenting plan, as they are the most important part of the final product.

Table 8.22: Experience in drafting parenting plans in practice and including both parents in the sessions

Experience drafting parenting plans	Both parents attended session	
	YES	NO
Very limited	2 (50%)	2(50%)
Limited	7 (100%)	0 (0.0%)
Adequate	14 (93.3%)	1 (6.7%)

Sufficient	22 (88%)	3 (12.0)
Extensive	24 (96%)	1 (4%)

The Fisher's Exact Test = 0.107

The above table illustrates no statistical association between professionals who have experience in drafting parenting plans and including both parents in the session. From table 8.22, most professionals indicated that they prefer to include both parents in their sessions.

Table 8.23: Experience in drafting parenting plans and including the children in the sessions

Experience in drafting PP	Include children in session	
	YES	**NO**
Very limited	2 (50%)	2 (50%)
Limited	6 (85.7%)	1 (14.3%)
Adequate	6 (50%)	6 (50%)
Sufficient	14 (53.8%)	12 (46.2%)
Extensive	13 (50%)	13 (50%)

The Fisher's Exact Test = 0.551

The above table indicates no statistical association between the experience professionals have with drafting parenting plans in practice and including the children. The p=0.551 value indicates no significance between these two variables. Further, the above indicates that professionals are once again divided on whether to include the children during the process of drafting parenting plans or whether to exclude them.

After the cross-tabulations that the researcher indicated, it is also important to give the narratives of some of the professionals in terms of the elements included in the process that they followed.

- *"Individual session with parents, individual session with children, questionnaires, education, negotiation, finalization, final a combined session with family."* – Respondent 03

- *"Consult with client, then send proposals through to attorney of opposite party, receive counter proposals, settle or refer to court to be adjudicated."* – Respondent 11

- *"Notes of history, and always take consideration of minors (best interests)."* – Respondent 15

- *"I am the co-developer of the FCM (Family and Child Mediation process). This process entails intake interviews with each parent, sessions with each child, at least three sessions with the children and parents. The PP is then drafted and reviewed by parents. Thereafter the ethical requirements of Legal review are collected. The children are informed of the outcome. The PP is finalized and signed by the parents and the required forms are attached and signed."* – Respondent 16

- *"Settlement negotiations between parents through respective attorneys. Refer dispute to Family Advocate and report. Draft settlement/Parenting Plan. Make it an order of court incorporated in the divorce order."* – Respondent 18

- *"See parents, refer for mediation if needed, draft parenting plan."* – Respondent 22

- *"Mediation of consultation. Information about the Children's Act and what the best interests of a child entails. If parents can work towards the best interests of the child, I seldom have a problem."* – Respondent 27

- *"First interview with all members, individual interviews, completion of questionnaire, interview with children, draft of PP, last interview, final PP."* – Respondent 28

- *"Completion of family referral form, notice of meeting/fees sharing, meeting 1 to 3, drafting of parenting plan and approval by parents, submission to children's court – court order."* – Respondent 33

- *"As mediation is voluntary, I usually follow the principle of what needs to be addressed urgently. If I must draw up an interim plan, I do so immediately, so that the parent's urgent needs or worries are addressed. After everything has been discussed I follow the FAMAC procedure and step of drafting a complete and thorough plan."* – Respondent 35

- *"Meeting with both parents for 90 minutes (sometimes longer), to discuss the mediation process. Dealing with aspects of the parenting plan according to the Children's Act. Drafting the parent plan and send it to parents for their further input, corrections, changes etc., drafting the final parenting plan and have it signed by the parents. The parents each take their signed parenting plan to their lawyers for incorporation into the final divorce agreement."* – Respondent 36
- *"Use a precedent and adapt it."* – Respondent 37
- *"I consider the work schedule of the parties, the distance between the two houses and according to that I start out with a draft plan for my client and as soon as I get input from the other parent I adjust it accordingly."* – Respondent 40
- *"For court mediations: Read the social workers report, read affidavit, once with parties I explain the mediation process and for private mediations: explain the process and rules of mediation, hear both sides, address concerns, sometimes do an individual session and draft the plan."* – Respondent 44
- *"I follow a parenting plan process."* – Respondent 45
- *"I am involved with the assessment of children to obtain their voice/perception that needs to be considered when drafting a parenting plan. It is an intensive assessment model that evaluates the child living world within both parental systems as well as attachment and the caregiving systems strengths and weaknesses."* – Respondent 46
- *"Consultative process."* – Respondent 48
- *"Normally it forms part of the whole mediated divorce process. I first give them a booklet to educate them about their parental responsibilities and rights, the challenges of co-parenting post-divorce and the practical and emotional needs for the children. We then have a few mediation sessions in which I guide them through all the aspects of the parenting plan. I do a lot of reality checking with the best interests of the children in mind. Child interviews will be conducted if necessary. If the parents are already separated it is easier as they often know what works and what doesn't."* – Respondent 51
- *"Follow semi structures format designed by self over many years."* – Respondent 57
- *"Interviewing the parties. Establish whether the children involved will be able to participate or whether reports from social worker or psychologists are available.*

Explain the contents of the Children's Act on parenting plans but specifically the binding effect and flexibility thereof. Explain the provisions of the Children's Act on parenting plans and the offences in an event the agreements are violated. Explain when the parenting plan must and may be reviewed. Reduce the parenting plan to writing plan and let the parties sign it in each other's presence. Complete Form 8 and 10 (Mediation in certain divorce matters) and attach it to parenting plan. In divorce matters the parenting plan forms part of the leading to be made an order of the Divorce Court. In other case the parenting plan is submitted to the Family Advocate for registration or the Children's Court to be made and order of the court." – Respondent 59*

- *"I work from a basic template and then ask the parents what they see important in their parenting plan."* – Respondent 65

- *"I spent between 4-8 hours to get to the first draft. I ensure that the PP fits the family and their unique circumstances"* – Respondent 70

From the feedback from the respondents it is evident that the process followed for drafting parenting plans is not one set in stone. Professionals follow their own process from experience, some use a template, a few indicated that they use the FCM (Family and Child Mediation model from Family Zone) and for some professionals a parenting plan is merely an extension of the divorce settlement.

A vast amount of research has been done in the drafting of parenting plans in South Africa (Botha, 2011:7; Combrinck, (2014:47; Duchen & Dennill, 2005:18; Duchen & Schutte, 2008:7; Robinson, 2010:135) and the most used model seems to be the Family and Child Mediation (FCM) model compiled by Familyzone and Duchen (2008). Botha (2011:9) explains that parents can choose a mediator who is qualified in divorce or are often referred to a suitable mediator by the Family Advocate's Office. Most researchers (Duchen & Schutte, 2008:3; Combrinck, 2014:47; Robinson, 2010:135) suggest that the process of drafting a parenting plan follows a specific order. Botha (2011:6) explains that the FCM Model starts with a first session with both parents, during which the professional identifies issues between parents that need to be addressed.

According to Combrinck (2014:47), this model takes approximately three to four sessions of 90 minutes to cover all topics. Botha (2011:7) further explains that after the individual sessions an agenda is drafted and sent to both parties, for further input. After that the professional meets with the parties to work through all issues to create an agreement based on the best interests of the children. Botha (2011:7) and Combrinck (2014:48) add that after that both parents are given the opportunity to provide written input on defined agenda items prior to the session. According to Botha (2011:9), Combrinck (2014:48) and Robinson (2010:135) the children are also consulted as stipulated by the Children's Act 38 of 2005.

Robinson (2010:135) studied the research of Lyster (2007:178) and Gould and Martindale (2009:25) and developed her own three-phase model for drafting a parenting plan in mediation with divorcing families: this model starts with the contractual phase, followed by the facilitation or mediation phase and ends with the report writing phase. According to Robinson (2010:135) this model serves as a guideline for all professionals drafting a parenting plan. This three-phase model is widely used by professionals when drafting well-developed and child-friendly parenting plans post-divorce. The well-known Family Child Mediation (FCM) model of Duchen and Schutte (2008:3) divides the mediation process into three broad phases: the preparatory phase, joint mediation sessions and final phase during which the parenting plan is drafted and signed.

Professionals drafting parenting plans must be well trained with regards to the legal instruments pertaining to children and make sure that the plan is in the best interests of the child. Professionals should draft child-centred parenting plans and both parents ought to be equally involved.

8.15   SUMMARY

This chapter focused on presenting the information gathered for the quantitative part of the empirical research. This chapter gives a detailed analysis of the quantitative data and

is summarised in themes according to the sixteen questions of the questionnaire. From the start of this research study the researcher's main aim was to explore and discuss the factors that influence the implementation of parenting plans in South Africa. The goal of the quantitative part of the study was to explore and describe the views of professionals in practice on the implementation of parenting plans and to explore their recommendations for effective parenting plans.

The professionals were well represented and came from both sectors. The professionals were qualified and trained in the topic under study and could be regarded as specialists in the field they are working in.

There was no statistical association found between any of the variables in most sections of the questionnaire except when the professionals were split into two groups. The association was established by utilising the Fisher's Exact Test to identify whether there was an association between the two groups and the variables.

The next section was divided into the process the professionals follow during the drafting process of parenting plans. The following questions were asked: did both parents attend the session, do you include the children, do you make use of a template/standard questionnaire, do you educate the parents about parenting plans, do you give a quote/contract beforehand and do you think a parenting plan should become a specialized field.

The qualitative data that the respondents completed with regards to what topics in a parenting plan result in the most conflict between parents when drafting a parenting plan was completed by 93.8%. The most important topics that were noted were maintenance, finance, and contact, introducing new partners and communication or the lack of communication. These topics correlated with the topics that parents in the qualitative interviews identified, but the correlation will be concluded in the next chapter.

From the process that most professionals follow, it is evident that everyone from their trained profession follows the process that works for them. The researcher agrees with researchers (Combrinck, 2014:47; Duchen & Schutte, 2008:3; Robinson, 2010:135) that the process of drafting a parenting plan must follow a specific order and that all professionals in South Africa need clear guidance in this regard.

The next chapter focuses on the summary, conclusion and recommendations.

CHAPTER 9
GUIDELINES FOR PARENTING PLANS IN SOUTH AFRICA

9.1   INTRODUCTION

The reality of parental divorce is becoming a significant problem for all individuals concerned, especially for parents and professionals working with these families going through the trauma of divorce. The problem is significant as parental divorce concerns more than one million minors in Europe, more than one million in the United States and in Western countries it occurs in more than 40% of minors (Vezzetti, 2016:2).

The researcher has realised in practice that parents and professionals battle with the implementation of parenting plans and due to those challenges children suffer the most. During a study done by Mundalamo (2016:135) the most important conclusion was that divorcing parents rely too much on their legal service providers for the provision of information on the divorce process. Moreover, divorcing parents lack knowledge regarding the divorce process and that includes knowledge on their rights and responsibilities as embedded in The Children's Act 38 of 2005. The Children's Act 38 of 2005 introduced parenting plans in South Africa for parents planning a divorce and in some instances the Act makes parenting plans obligatory.

One objective of this study was to draw conclusions and develop guidelines, with user-friendly checklists for implementing parenting plans in South Africa for parents with children in middle childhood going through divorce, and for professionals working with these families. This chapter (Chapter 9) will give an overview of important literature about guidelines, the parenting plan specifications from litigation, discuss the conclusions that were made based on the qualitative research (Chapter 7), the quantitative research (Chapter 8) and finally the researcher will formulate guidelines for both parents and professionals. The final phase of this chapter will be to introduce user-friendly checklists for both groups.

9.2 LITERATURE REVIEW ON GUIDELINES IN DRAFTING PARENTING PLANS

In the past in South Africa it was experienced that the rights of children during parental divorce did not receive the necessary attention, but the implementation of the Children's Act 38 of 2005 changed the focus of children about parental divorce completely. According to the Act the following rights of children need to be recognised:

(1) the child's right to parental care;

(2) the child's right to be protected;

(3) the child's right to legal representation and

(4) the child's best interests should be prioritized.

Bastow (2009:2), Gildenhuys (2015:8), Preller (2013:4) and Robinson (2010:133) agree that working with divorcing families and facilitating the drafting of parenting plans seems to be a challenging process. Professionals working with these families should be knowledgeable about the delivery of high-quality parenting plans, how complex the intervention process with divorcing families is and to structure parenting plans according to the best interests of children.

9.2.1 Parenting plan specifications

The researcher will provide topics that need to be included in a parenting plan as identified by the Children's Act 38 of 2005:

The Children's Act states that a **parenting plan** may determine any matter in connection with parental rights and responsibilities, including:

- (a) where and with whom the child will live;
- (b) the maintenance of the child;
- (c) contact between the child and –
    - (i)   any of the parties; and
    - (ii)   any other person;
- (d) the schooling and religious upbringing of the child

The above-mentioned provides topics that need to be included in the parenting plan. Researchers (Combrinck, 2014:55; Mundalamo, 2016:78; Robinson 2010:162) argue that other topics can be included, and parents should add topics they feel will need attention. Topics include: communication, extracurricular activities, medical treatment, relocating, new partners, exchanging information, vacations and contact with external family members.

The complete content and formalities were discussed in Chapters 2 and 5. The most crucial factor that needs to be addressed is that parenting plans should be child-centred and in the best interests of the child. Carter, Haave and Vandersteen (2010:1) offer several guiding values for drafting child-centred parenting plans for professionals working with divorcing families. Parenting plans should support relationships, minimise loss and multiple parenting plans can address the unique needs of children during their changing developmental needs. The child's developmental needs and the child's stability should be supported in the placement and parents must be the first choice in placement. The older child has unique needs like peer interaction, continuous parental relationships and communication with extended family members, all of which must be clearly stated in the parenting plan (Carter et al., 2010:1). Parents should be tolerant in allowing access towards the other parent and the child should spend time with the mother on her birthday/Mother's Day and then with the father on his birthday/Father's Day. Carter et al. (2010:1) suggest co-parenting should be the ultimate role of parents and both parents should have one-on-one contact with their children. Lastly these researchers state all terminology ought to be clearly defined as this would minimise any uncertainty of access, responsibility or needs.

Robinson (2010:34) has concluded aspects to be considered when child-centred parenting plans are drafted:
- The child should be protected at all cost;
- All children have the right to maintain personal relations and direct contact with both their parents on a regular basis;

- Children should not be separated from their parents except in unusual circumstances;
- The biggest priority remains the best interests of the child and it should always remain the highest priority;
- A child has the right to be heard;
- If capable, children must express their feelings and views;
- All children have the right to a certain standard of living to promote their development;
- Children should have the right to maintain contact with parents on a regular basis when relocating;
- Children must be protected against abuse, neglect, negligent treatment and exploitation;
- The standard of caregiving and protection should conform to specific standards;
- Both parents have primary responsibility for the upbringing and development of their children;
- Guidance and direction is the responsibility of both parents;
- The rights, responsibilities and duties of parents must be treated with the utmost respect;
- All parties should be included in the intervention process.

The researcher agrees that the above-mentioned aspects are important during the drafting of a parenting plan.

9.3   CONCLUSIONS MADE DURING THE QUALITATIVE AND QUANTITATIVE PHASES

During this research study, the researcher made use of both qualitative (first phase) and quantitative (second phase) research to establish what parents and professionals regard as factors that influence the implementation of parenting plans in practice. The researcher highlights these conclusions before the guidelines are developed.

The conclusions of the two phases will be discussed separately.

9.3.1 Conclusion of qualitative research

The following conclusions are drawn from the qualitative part of the research study.

9.3.1.1   Perception of a parenting plan

Definition of a parenting plan

During the question regarding a definition of a parenting plan most participants argued that it is a guide or binding document for parents in raising their children post-divorce. Parenting plans address matters like primary residence, care taking, contact arrangements, education, living arrangements, support, care and medical needs. It was noted that a parenting plan must be in the child's best interests and the goal be structure, effective communication and conflict resolution. The researcher noted that overall the participants indicated that parenting plans support families to make effective changes after divorce.

Importance of a parenting plan

The participants agreed that a parenting plan is an important part of the divorce process and a necessity. Feedback during this phase indicated that parenting plans give structure and it is a safe option for parents to agree in raising their children after divorce. Participants felt that a well-drafted parenting plan limit conflict between parents, as the written rules/responsibilities cannot create confusion. Participants also concluded that it gives right of access to fathers and both parents are involved in the children's lives through co-parenting.

Experience of own parenting plan

Only half of the participants experienced that their parenting plan was successful, while the other half felt that their plan was a total failure. According to the participants the same routine in both households, a co-parenting system, focusing on the child's best interests, recognising the children's developmental phases and minimum conflict between parents are all factors for the successful implementation of parenting plans. The researcher noted that these factors correlate with the literature review as presented in Chapters 2, 4 and 5.

Knowledge gained by drafting a parenting plan

The researcher concluded that participants have gained knowledge about their parenting plans, while some participants indicated they were aware of the needs of their children, but the drafting of their parenting plan reminded them about the most important principles.

Process of drafting parenting plans

From the feedback from participants it was clear that there was no consistency in regards to the process that professionals use during the drafting of parenting plans. A small number stated that they have witnessed a well-developed process, which included both parents and the children. Some participants claimed that they had some process, where only the parents attended the sessions. The biggest concerns were that parents had to complete a basic template, some parents were not even involved, others only communicated with a lawyer and some participants indicated that their parenting plan could not be completed due to parental conflict. The researcher concluded that there seems to be a huge discrepancy in the process that professionals use in the drafting of parenting plans.

Obtaining a professional to draft a parenting plan

Participants concluded that access to professionals drafting parenting plans were not a challenge at all, although the quality of their work was a contesting factor.

Conclusion

With the above it was clear that participants agreed that a parenting plan is a useful tool during parental divorce. Participants see it as a safe option that gives structure to their parenting after divorce. Participants agreed that they gained knowledge with regards to their children's basic needs and most definitely fostered a co-parenting relationship. The most challenging factor identified by the participants was the process that professionals follow in drafting a parenting plan. Participants also argued that they are not all too happy with the result, as it seems not to be user friendly and representative of their families' overall needs.

9.3.1.2   Factors influencing the implementation of parenting plans

List of factors influencing implementation

As stated in the sampling of the qualitative study the researcher indicated that the interviews would be with both parents who experienced that their parenting plans were a success and then those that experienced their plan as a failure. The factors, as identified by the participants, will be given. Parents who experienced their plan as successful indicated that it was due to parents being adaptable, continuous communication between parents, a co-parenting system, putting their children's needs first, the same routine/discipline in both households, respecting each other, addressing the children's developmental needs, supporting each other with regards to parenting and keeping children out of adult issues.

Parents that indicated that their plans were a total failure, indicated the following to be the reasons: a total lack of discipline, no consistency, one of the parents over-compensating, guilty feelings, no co-parenting, absent parents, child's needs not met, parents not committed, unstable parent, anger and resentment between parents, continuous conflict, interference of new partners, financial conflicts, no agreement, no communication and parents not caring about their responsibilities.

Involvement in drafting the parenting plan

As indicated previously it was clear that not all the professionals follow the same process in drafting parenting plans. Some of the participants indicated that both parents and children were included in the sessions, while others indicated that their children were not included at all. Based on this feedback, the researcher recommends that a parenting plan be child-centred and that all members be included.

Effectiveness of your parenting plan

Only half of the participants indicated that their parenting plan was beneficial for all family members and the other half of the participants felt that their plan was not effective at all. The participants argued that their plans were not in the best interests of their children, some parents indicated that their plan was one-sided, and others claimed that their plan did not promote communication between the parents.

Family members adhering to parenting plan

Overall the parents indicated that they both upheld the principles of their parenting plan, while others indicated that they tried to do so. Participants that were positive felt that they support each other, respect each other and their child and work as a team in raising their children. From the negative point, the participants added that no-one is adhering to the plan and that it is just a piece of paper. Blaming each other was a huge challenge with these participants.

Conclusions

From the above, the researcher concludes that parenting plans be representative with regards to the family and their dynamics. Both parents ought to be committed, and children should be used to the routine/discipline as when parents were still married. It is discerning that some professionals still do not include children during the drafting of a parenting plan, thus creating a plan about children, without including children.

9.3.1.3 Participants' recommendations to parents and professionals

The last section concludes with participants' recommendations to other parents and professionals.

Recommendations to other parents

The following recommendations were made to parents with regards to divorce and parenting plans. Participants concluded that parenting plans are very important for families after divorce, although divorce is traumatic for all the participants claimed that parenting plans give structure and a sense of security, undeniably children should be involved in the process, parents should focus on their children, children need both parents for guidance, no family member should suffer due to the divorce, parents should sort themselves out before concentrating on their children, compromise for the sake of the children, do not badmouth the other parent and a parenting plan is not just a piece of paper and parents need to make decisions about their children's future.

Recommendations to professionals

The following recommendations were made to the professionals drafting parenting plans. Divorce is a traumatic experience for all members of a family and professionals must recognise that and draft the parenting plan with the goal of restoring the trust of all members, by giving them a sense of security. Professionals must be able to handle high

conflict families and involve extended family members. It is very important to grant access to both parents, as children need to have contact with both parents and significant family members. Professionals drafting parenting plans should be warm-hearted, able to show empathy, be objective and assertive. Professionals must realise that all families are unique and often some of their feelings or challenges deserve urgent attention. Professionals should be careful about being critical and making presumptions based on the information provided by an angry ex-spouse or family. Professionals should concentrate more on the children and less on the adult issue or even the adult that pays the account. Professionals should introduce more than a standard questionnaire or basic template for information. Parenting plans should be adaptable and revised as the children grow older and professionals can do follow-ups after three months. Parenting plans should be user-friendly and not an obligation. Professionals should spend more time on basic education around parenting plans, then adults and children will agree to make it work. Professionals should be accessible for all and health care professionals should market themselves better. Professionals should be reminded that fathers cannot only be the financial net for families; there is more to being a father than being involved than only financially. The overall feeling is that professionals start with mediation and if it is not their specialty, be able to refer these families.

9.3.2 Conclusion of quantitative research

The conclusions that were gathered during phase two (quantitative) of the research study will be presented and discussed in a chronological order and matching the sixteen sections of the questionnaire.

9.3.2.1 Training of professionals

Training of professionals in parenting plans

The participants indicated that only half of them were trained by an accredited service provider and the other half of the participants acquired their skills and information through short courses and self-study.

9.3.2.2 Experience with divorce matters, parenting plans and drafting parenting plans

Experience in divorce matters in practice

The participants indicated that almost half of them have extensive experience in working with divorce matters in practice. The other half of the participants indicated that they have sufficient to adequate experience. The law professionals reported to be the most experienced in working with divorce matters in practice.

Experience in working with parenting plans

The participants indicated that only 36% have extensive experience in working with parenting plans in practice. The law profession once again reported to have the most experience in working with parenting plans in practice.

Experience in drafting parenting plans

Most of the respondents indicated that they have sufficient experience with regards to drafting parenting plans in practice with 66% indicating they have extensive experience.

Conclusion

The above clearly indicate a lack of experience in practice with regards to working with divorcing families and drafting parenting plans. The Children's Act 38 of 2005 was introduced almost thirteen years ago and yet the professionals report that their extensive experience with regards to divorce matters were 50%, while their experience in parenting plans were 40%. The combined extensive experience of professionals drafting parenting plans reached 33%.

9.3.2.3   Factors influencing the success/failure of parenting plans

Professionals' feedback on parents' cooperation

The respondents clearly indicated that it was important that parents are adaptable, a co-parenting style was an essential part of the success, and effective communication between parents and less fighting were all protective factors for children.

9.3.2.4   Individuals attending sessions

Both parents attended the session

The professionals agreed that it is important that both parents attend the sessions when drafting parenting plans.

Child attended the sessions

From the respondents, 54.1% reported to include the children during their sessions. A larger percentage of the health care professionals indicated that it is important to include the children with 64.1% including children. A percentage of 42,9% of the law professionals do not see it as a necessity to include the children.

Conclusion

In practice there is still uncertainty whether children ought to be included in the process of drafting parenting plans, despite the literature being evident that parents as well as children need to be actively involved in the process.

9.3.2.5   Using a template or standardised questionnaire during the drafting session

Using a template or standardised questionnaire during the drafting of a parenting plan

The use of a template or questionnaire is a debated issue, with 50% of the respondents stating that they do make use of a template/questionnaire and 50% indicated that they do not.

Conclusion

The researcher concludes that there is an enormous difference between guidelines and the use of a template/questionnaire where professionals only change the personal information of the family. With guidelines the researcher is referring to a recommended practice that will allow some direction in the implementation of sound parenting plans in South Africa. It is also advisable that a template or questionnaire is not the only tool used during the process.

9.3.2.6   Education of parents

Educating parents during the drafting process of a parenting plan

Some education is done during the intervention process of parents for the draft of parenting plans.

Conclusion

Education is a very important part of the process when professionals work with families that need to redirect their lives after divorce. During the education process the professionals indicated that they handle topics like contracting with both parents, financial agreements, outlining the complete process, giving timeframes and for administrative tasks.

9.3.2.7   Financial matters and contracting

Finances and contracting

This aspect was identified as important and done by most professionals. It links with the education as described in the topic above.

9.3.2.8   Drafting a parenting plan should be a specialised field

Drafting parenting plan as specialised field

Only 75.9% of the respondents indicated that the writing of parenting plans should be a specialised field of practice

Conclusion

Professionals indicated that they do education during their first session and then the contracting/financial aspects are also handled. 75.9% of professionals mention that drafting parenting plans should be a specialised field.

9.3.2.9   Quantitative data from the respondents' views

Topics in a parenting plan that result in the most conflict between parents

The respondents identified numerous topics that were narrowed down to the main five:

- **Maintenance** – money is often a cause of disagreement between adults and too often separated parents cannot agree on this matter.
- **Finance** – respondents indicated that professionals lack the ability or tools to work around the finances during the parenting plan.
- **Contact** – contact or the contact restrictions results in conflict, because parents cannot establish reasonable contact with the children and/or significant others.
- **New partners** – adults in the aftermath of divorce often feel their children should be protected against the influence of other adults. Usually the new partner is labelled as a negative influence due to adult issues.
- **Communication** – although the key principle of co-parenting after divorce, parents battle to communicate effectively with each other around the needs of their children.

The process of drafting a parenting plan

The respondents indicated that there is no conformity in the process of drafting parenting plans in practice. It was noted that every individual follows their own process, whether it is the FCM model or using a standard template as indicate by the Children's Act 38 of 2005. Some of the respondents indicated that they use their years of experience as part of the process and indications were given that for some professionals a parenting plan is an extension of the divorce settlement, and forms part of that process.

Conclusion

Based on the conclusions from the respondents there is no agreement on whether both parents and children be included in the drafting process of parenting plans. The process that professionals follow remains a topic for further research due to the contradicting responses from both parents and professionals.

The researcher will implement the above conclusions as retrieved from the qualitative and quantitative approaches in her guidelines and finally present the check-lists for use in drafting and implementing parenting plans.

9.4 GUIDELINES FOR PARENTS AND PROFESSIONALS DURING THE PROCESS OF DRAFTING PARENTING PLANS

9.4.1 Guidelines for parents

The Law doesn't raise children, parents do! - SADSA

One of the most difficult and surely traumatic life events for any child or parent is divorce. Parents often think that they must stay together for the sake of the children or make care or contact arrangements to shield their children from all the pain. But this research has shown that regardless of the parents' best intentions there are some basic things children need from their parents or protective factors to assist children from the emotional whirlpool of parental divorce.

What children need after parental divorce

It can be concluded that children do best after parental divorce when:
- They have both parents actively involved in their daily lives.
- They have a clear structure, almost similar discipline and routine in both homes – this will create a sense of security to them.

- They see their parents communicating in a positive and regular manner.
- Parents co-operate and co-parent with regards to the basic needs of their children.
- Children see that their parents put them and their needs first and are willing to compromise.
- Both parents are positive, lenient and flexible.
- They are not exposed to the continuous conflict between parents or when they are not in the centre of adult issues.

What children do not need

For children to be well adapted after divorce they do not need:
- One parent over-compensating in the relationship with the child due to feelings of guilt.
- To be left undisciplined, without routine or without clear boundaries.
- One or more absent parents.
- To witness ongoing anger, resentment or hate between parents.
- To hear about financial difficulties due to the divorce or the other parent not supporting them.
- To experience parental conflict and fighting.
- To wonder why their parents do not communicate with each other.

During the literature review and the qualitative data analysis it became clear that parents can positively influence their children's reaction and adaption after divorce. Communication and the absence of continuous conflict seem to be the most valuable contribution by parents after their divorce. The parents' ability to form a co-parent relationship and to be involved in the daily routine of their children are also important. Children of divorce need both parents to be accessible, supporting them and offering them an emotional secure base. Children need consistency and their parents working as a team. Mutual respect, support and structure confirm to be valuable for the functioning in two different homes.

The researcher organised the parents' experience of their own parenting plan, their recommendations to other parents and the topics that the professionals identified to give parents guidance on the following:

Children, divorce, access and contact

Children's reaction to parental divorce must be seen holistically which includes age, temperament and the developmental stage of each individual child (Burke et al., 2009:8-12, Greenwood, 2012:1-17, Harkonen, 2013:16-22, Landucci, 2008:11-13, Robinson, 2009:48-51, Sanders, 2007:70-73, Usakli, 2013:256-258). The researcher grouped the literature study on what children experience from parental divorce (Chapter 4) and what children can handle with regards to access and contact (Chapter 2) with feedback from the sample of parents and professionals.

Table 9.1: Children's reaction to divorce and their developmental stages

Age	Children's reaction to divorce	Developmental considerations for parenting plans
Infants (0-3 years)	- Cognitively they do not understand. - Need bond with parents. - Easily pick up conflict between parents. - Need trusting relationship with parents to feel secure. - Infants needs a level of security. - Need both parents for physical and emotional needs. - Form strong bond with caregiver. - Cry easily and are very demanding.	- Should reside with primary parent. - Should have regular contact with other parent, but with short periods in between. - Both parents need to be responsible for parenting. - Children form attachment from 6 months to 18 months. - Due to short memory contact needs to be regular. - Alternate parents should have 4 – 6 hours of contact twice per week. - With weekend contact of 36 hours as well as holiday contact.
Preschool (3-5 years)	- Due to being egocentric during this age, this age group often blame themselves for the separation. - Fantasise about parental reconciliation. - Fear abandonment.	- Should be an extension of the infant/toddler phase. - Parents should try not to interrupt visits, due to long term memory not functional yet. - Contact should be stable and predictable.

	- children often regress in behaviour such as bedwetting or crying for a security blanket/toy. - Pre-schoolers become needy, anxious, aggressive and disobedient. - Easily feel sad, tearful, abandoned, guilty and detached. - This group needs predictability and often have psycho-somatic symptoms. - Co-parenting is very important for this age group.	- Limit time spend away from either parent. - Visits should not exceed three overnights and parents should consider 2-2-3-day plans. - Pre-schoolers are focused on themselves and claim all negative actions to themselves. - Pre-schoolers move away from parents to explore and negative issues harm them emotionally. - Daily communication is of essence and all communication in front of child should be positive.
Elementary age (6 – 10 years)	- This group is more verbally articulate and can express their feelings. - Peer groups are important, and the art of mastery plays a valuable role. - This group easily takes sides against parents and often blame the other parent. - See divorce as a grieving process and are afraid around their own world. Their world that was known are now different and they feel insecure. - These children often feel abandoned and lonely. - Express their feelings of hurt, anger and sadness. - These children may complain about headaches and stomach pains. - Children often compensate with help in the housework. - Older ones are often depressed, obsessive and withdrawn. - Parents should take extra care of their child's emotional needs.	- Children become more self-sufficient and can spend more time away from a parent. - Predictability in the parent time still exist. - Due to children being more actively involved in school activities, planning becomes a challenge for parents. - Weekly contact can take place with great ease. - These children can witness communication between parents, if the communication is conflict free and child orientated. - This group makes less use of denial and knows that an absent parent will return. - The alternate parent must be actively involved in the child's life, e.g. monitor homework, attend school events, spend holidays together and discipline them

Middle school age (9-12 years)	- Often demonstrate conflicting loyalty to one parent. - Try to be brave and strong, but still need parents' care and support. - Closely evaluates the relationship between parents and easily manipulate them. - This group is very sensitive towards conflict between parents and whether it is resolved. - Their mastered memory make adjustment easier. - Often feel angry, frustrated, project passive-aggressive behaviour, are tearful, develop psychosomatic symptoms, feel rejected, embarrassed and overwhelmed.	- These children handle longer visits with greater ease and enjoy time spent with the alternative parent. - Relationships with both parents are crucial for this group and it gives them security. - Parents must talk with each other and make arrangements directly with each other, because this age group manipulates. - These children make parents feel guilty, with the hope that they will gain something. - Friends are more important and often this group skip visits due to social arrangements.
Adolescents (13 – 18 years)	- Adolescents have frequent feelings of anger, sadness, shame, helplessness and a sense of betrayal by parents. - Adolescents tend to cope by distancing themselves from their parents and families, while battling with their anger, fear, loneliness, depression and guilt. - Adolescents can associate with antisocial groups or negative activities with little adult monitoring. - Adolescents often turn to promiscuity, eating disorders and abusing alcohol or drugs. - These children are often angry, have severe mood swings and show signs of depression. - After parental divorce, adolescents often feel pressured to become more independent and are often unenthusiastic in their performance.	- This is the most challenging phase of parenting, due to the adolescents being more independent and experimenting with risk behaviour. - Both parents should provide balance and structure. - Parenting schedules should remain predictable, but flexible. - Parents should be present in daily routine and functioning. - Decision making should be highly coordinated. - Adolescents are more comfortable with sleepovers or weekend visits. - Although adolescents spend less time with parents, both parents should support them and be involved. - Adolescents can make own decisions about issues concerning them and parents must respect that.

Family assessment

Parents have indicated all the factors that influenced their parenting plans, whether successful or a complete failure. Before a parent starts the process of a parenting plan they must make sure about some facts around their family. Parents need to address the following matters:

- Who took responsibility for what, before the separation?
- How were both parents involved in the parenting responsibilities?
- What are your children's individual needs?
- How do you envisage co-parenting?
- How do we put our child's needs before ours?
- How do we protect our children from our conflict?
- How will you include your children in your parenting plan?
- What if we cannot agree?
- Should our children see a professional for assessment and intervention?

Co-parenting mistakes

It sounds very easy to commit oneself to co-parent with the parent of the child, but it takes a lot of adaptability from both parents. It is difficult to put your child's needs before your own and to communicate with the former spouse in an adult manner is often unbearable. Parents often make the following mistakes in co-parenting with the child's other parent:

- It is so easy to badmouth the other parent in front of your children.
- Without even noticing, parents put children in the centre of conflict and adult issues.
- Denying the former spouse access to children or being spiteful in arranging activities during their weekend.
- Making your child a messenger between the two parents.
- Fighting with the other parent in front of the children.
- Putting pressure on the children to choose between the two parents.

- Overcompensating towards your child, because of guilt or wanting to be the fun parent.
- Attacking the other parent's parenting.
- Not keeping to the principles of your parenting plan.
- Not informing the other parent about important matters which involve the children.

Designing your parenting plan

When parents separate or divorce, emotions often take over. Parents are both caught up in their anger, sadness, guilt or depression and often the children are the last issue of concerns. Parents ought to take time and work through their feelings as soon as possible – mediation is a good option, but it is important to put the children's needs first and avoid letting them get caught up in adults' concerns, conflicts or arguments. Parents should be reminded about the following principles before the draft of a parenting plan:

- Always remember children need and have the right to a strong relationship with both parents.
- Both parents should be equally committed to their children.
- The child's wishes and feelings about any arrangements are of utmost importance – and for this reason children should be included in the process of drafting parenting plans.
- Children should never be part of adult disagreement.
- Children also have the right to contact with both extended families and this should be clearly stipulated in your plan.

The start of the child's future is a conscious discussion between two committed parents and a lifelong agreement, which both parents must respect. The following guidelines can be implemented in the drafting of parenting plans:

Guidelines and checklists for parents in drafting effective parenting plans

Table 9.2: Guidelines for parents

Child inclusion			
Guideline	**Conclusion**	**Checklist**	
Children need to feel involved in the planning	● Was the child part of the sessions?	**Yes**	**No**
Child involvement must be age appropriate according to developmental stage	● Was the child assessed by a child specialist to determine maturity and cognitive ability?	**Yes**	**No**
Children should not take sides between parents	● Did both parents support and reassure the child?	**Yes**	**No**
Contact and access			
Guideline	**Conclusion**	**Checklist**	
Contact needs need to be discussed with the children to determine their needs.	● Did parents consult with their children?	**Yes**	**No**
	● Were the children assessed by a professional and did parents follow recommendations?	**Yes**	**No**
Children need time with each parent	● Were both parents involved when contact arrangements were made?	**Yes**	**No**
	● Are contact arrangements age appropriate?	**Yes**	**No**
Was the pattern according to dates established?	● Does your child have a calendar showing when it is mom's or dad's weekend or holiday visits?	**Yes**	**No**
	● Were both the father's and mother's working schedules recognized?	**Yes**	**No**
Were the child's activities and special occasions considered?	● Did all individuals acknowledge the child's activities and social gatherings?	**Yes**	**No**
	● Were the parents' access addressed around these activities?	**Yes**	**No**

When a child refuses to follow contact arrangement, are there alternative arrangement or resolutions?	● Did both parents communicate with regards to problems around visits?	**Yes**	**No**
	● Do both parents support the child in understanding the reason behind challenges in visitation?	**Yes**	**No**
	● Do parents have a plan for changes to the contact agreements?	**Yes**	**No**

Communication between parents and with children			
Guideline	**Conclusion**	**Checklist**	
Parents should communicate on a regular basis	● Does your plan include when, where and how often parents will communicate?	**Yes**	**No**
Parents should make time to communicate with their children	● Does your plan have daily, weekly telephone contact time?	**Yes**	**No**
	● Does your plan indicate access during times in the school week between parent and child?	**Yes**	**No**
	● Do your children know that they can contact the other parent anytime?	**Yes**	**No**
Both parents should have access to school communication, activities and excursions?	● Does your plan clearly state how school communication will be distributed?	**Yes**	**No**
	● Do both parents have access to the school communicator?	**Yes**	**No**
	● Do both parents involve the other with the school activities?	**Yes**	**No**

Special Days			
Guideline	**Conclusion**	**Checklist**	
Children should spend special days with family members	● Is your plan clear on where the child/children will spend their birthday?	**Yes**	**No**
	● Do both parents have access to child/ren on their birthday and how?	**Yes**	**No**
	● Does your plan include parents' birthdays, even if not during their weekends?	**Yes**	**No**
		Yes	**No**

	● Is your parenting plan clear on arrangements on Mother's Day, Father's Day, Christmas, New Year?	**Yes**	**No**
	● Are you clear on other family festivals or special days?		
Religious and cultural upbringing			
Guideline	**Conclusion**	**Checklist**	
Parents should agree on religion and cultural traditions.	● Is your plan clear on the church and Sunday school your child will attend?	**Yes**	**No**
	● Are both parents involved in the role they need to play and is it clearly stated?	**Yes**	**No**
	● Do your children understand what activities they should attend and why?	**Yes**	**No**
	● Does your plan give clear indication of all cultural activities that parents deem to be important?	**Yes**	**No**
School and extra-mural activities			
Guidelines	**Conclusions**	**Checklists**	
Both parents should agree on schooling and should be actively involved in activities.	● Is your plan clear on what school (Primary/High/Tertiary) children will attend?	**Yes**	**No**
	● Is the plan clear on costs for both parents?	**Yes**	**No**
	● Does the school know about your child's circumstances and have contact details of both parents?	**Yes**	**No**
	● Is your plan clear on all school communication made to both parents?	**Yes**	**No**
Extra-mural activities.	● Do both parents agree on children's participation in extra-mural activities?	**Yes**	**No**
	● Is your plan clear on costs for both parent?	**Yes**	**No**

	● Is the plan clear on attendance of both parents?		

School and public holidays			
Guideline	**Conclusion**	**Checklist**	
Both parents must have equal access during holidays.	● Does your plan clearly indicate how holidays will be allocated or divided?	**Yes**	**No**
	● Do children know where and with whom they spend their holidays?	**Yes**	**No**
	● Is the plan clear on rotation of special holidays?	**Yes**	**No**
	● Does your plan indicate arrangements when holiday arrangements must be changed?	**Yes**	**No**

Health and well-being			
Guideline	**Conclusion**	**Checklist**	
Parents are both responsible for health and well-being of children.	● Is your plan clear on routine medical appointments?	**Yes**	**No**
	● Do you plan stipulate who is responsible for specific costs?	**Yes**	**No**
	● Does your plan specify special precautions or needs?	**Yes**	**No**

Conflict and conflict resolution			
Guideline	**Conclusion**	**Checklist**	
Parents should be clear on resolving of conflict and not involve children.	● Is the plan clear on the handling of conflict between parents?	**Yes**	**No**
	● How will parents' disagreements be resolved and is it stipulated?	**Yes**	**No**

Changes or special arrangements			
Guidelines	**Conclusion**	**Checklist**	
Moving to a new house, new job, new school, new partners, new circumstances, new financial responsibilities should all be clarified.	● Is the plan clear on what changes both parents regard as important?	**Yes**	**No**
	● Does your plan indicate how these changes will be reviewed or dealt with?	**Yes**	**No**
	● Does your plan indicate any restrictions for changes?	**Yes**	**No**

It is very important that all family members, including children, take part in the sessions of drafting a parenting plan. If everyone acknowledges their roles and responsibilities, parenting after divorce can be more effective.

9.4.2 Guidelines for professionals

Following the responses in both the qualitative and quantitative research, guidelines for professionals are formulated.

Not 50% meditation, Not 50% litigation – But 100% Parenting!

According to research (Gildenhuys, 2015:67; Mundalamo, 2016:66; Preller, 2013:39; Robinson, 2009:79) parents do not often indicate or communicate their overall needs to professionals, which results in parenting plans being misrepresented or not workable. With the above kept in mind it is imperative that all professionals follow a comprehensive process and use tools that make their intervention inclusive of the family's needs and with the child's best interests as the primary principle. It is important for professionals to include all family members, assess the family dynamics and assist the family in making correct and positive decisions.

What professionals should do during the process of planning

The following are needs that families often present with and that professionals have to consider:
- Professionals should assist families to manage their emotions in the best viable way.
- Explain to both parents what their legal rights and responsibilities entail and how can it be included in their parenting plan.
- Educate parents on the process of drafting a parenting plan and what steps needs to be taken.

- Assist parents in understanding what their children basically need and addressing those needs with developmental/emotional needs clearly guiding these needs.
- Support the parents in practicing better communication.
- Assist parents to understand their conflict and to direct options for resolving their differences.
- Evaluate the family as an entity and be assertive on best ways in restructuring these families.
- Assist parents to stay on track with their parenting goals.
- Acknowledge that all families are unique and treat them as such.

What professional should not do

Research clearly indicates what parents think professionals should not do:
- Be selective on deciding which members to include in the process of drafting parenting plans in practice, as both parents and children should be included.
- Exclude the children, as their opinions also count.
- Rush their sessions with families, due to overbooking of their diaries.
- Make assumptions based on one-sided information.
- Write a one-sided parenting plan, as this does not promote the family's well-being.
- Support parental conflict by making inappropriate or unwanted statements.
- Be ignorant of the families' dynamics and overall functioning, because it does not fit the standardised template.
- Advantage the parent that pays the account.
- Only make use of a questionnaire or template in obtaining information without thorough consultation with all parties involved.

Process of drafting a parenting plan

Ample research (Combrinck, 2014:49; Duchen & Dennill, 2005:18; Duchen & Schutte, 2008:3-6; Robinson, 2010:135-143) has been done on the process of developing parenting plans. The process of drafting a parenting plan seems to be as unique as each

family and it was identified that professionals follow their own process. Literature have indicated that the family and child mediation process from Familyzone are the most known process to professionals. The empirical research indicated that some professionals include both parents and children, while a referring system were used in some instances. The use of a questionnaire or template were also a discrepancy, while contracting and education were also not a compliance. It was clear that developed and inclusive process needed to be identified. The following will give guidance with regards to the process. The researcher decided to describe the two processes that are followed by most professionals, as a guide.

Table 9.3: Models for drafting parenting plans

Robinson's Three Phased Model	Duchen & Schutte's Family and Child Mediation Model
1. Contractual phase	**1. Preparatory phase**
This process starts with the contracting session where the policy is discussed, both professionals and parents contractually agree to cooperate, the process is explained, rules are set, agreements are made on which individuals will be consulted, the template is discussed, and agreements signed. Interview processes include first interview with both parents to manage the process, contract and provide a template that needs to be completed. Secondly a consultation with children to obtain information and assess their needs. A follow-up consultation with both parents to discuss inputs, hand-completed templates and to seek answers on identified matters.	Parents are requested to complete a questionnaire; the responses are captured and analysed accordingly. The professional conducts an individual interview with each parent and during this, parents are prepared, the process is explained, and information is obtained. The professional screens for possible exclusions, assesses needs, finds common ground, obtains commitment from parents, provides conflict and dispute resolutions and agrees on items for discussions.
2. Facilitation or Mediation Phase	**2. Joint mediation sessions**
During the second phase the professional's primary goal will be to assist and guide the family with the process. Education is the essence of this process, as professionals motivate families to acquire knowledge about the process, the advantages of a parenting plan, what it	During this phase three joint sessions are scheduled: **First joint session:** formalise communication and dispute clauses of the plan. Draft agendas for future sessions and sign for the sake of accurate information.

| entails and who should be responsible for what. Educated families make better choices and implement the plan better. | **Second joint session:** sign previous sessions' minutes. Focus of this session is to finalise the residency and contact agreements. Session is documented, and parents verify accuracy.

Third joint session: starts with signing of previous session. This session focuses on the remainder of the agenda points. The professional's responsibilities include conclusion of views, wishes and agreements of both parents and children. If needed extra sessions are arranged. |
|---|---|
| **3.   Report Writing phase** | **3. Final phase** |
| In the last phase professionals organise all their records and make sure everything is maintained, filed, recorded and captured. All professionals are ethically obliged to be correct, unbiased and accurately reflect the given information.

It is imperative that the professionals use all the information as obtained during their intervention and in an effective/correct manner. | A draft of the parenting plan is circulated to both parents.

Parents provide their comments and feedback in writing.

Professional emphasises child's best interests and makes sure their needs are met.

The parents and professional sign the parenting plan and the professional completes the necessary forms. |

The researcher recommends that it is imperative for all professionals to use a structured and well-directed process. If possible, professionals have to find an amiable way to incorporate the above phases in their process.

A parenting plan must adhere to certain requirements

After doing extensive research on parenting plans Robinson (2010:163) concluded that all professionals, after drafting parenting plans, must check their plan to:

- Assure themselves that the final product includes all information that was discussed in all the sessions with the family members to assist the divorcing family in their optimal functioning;

- Clearly indicate the family's needs and recommendations on how these needs will be met;
- Promote the families' knowledge on their operations post-divorce and make sure that all members understand what is expected from them;
- Support and empower the family to focus on their parenting goals and needs post-divorce and to motivate them to positive change.

It is important that professionals and parents focus on the intention of a parenting plan and not lose direction on the end goal.

Guidelines and checklists for professionals drafting parenting plans

Table 9.4: Guidelines and checklist for professionals

Training of professionals			
Guideline	**Conclusion**	**Checklist**	
Professionals need to be trained in divorce and parenting plans	● Were you trained by an accredited service provider?	**Yes**	**No**
Extra knowledge can be obtained through other means.	● Have you attended relevant short-courses in the past six months?	**Yes**	**No**
Research on new and improved processes in their field.	● Do you do regular research to keep up with new development in divorce and parenting plans?	**Yes**	**No**
Experience			
Guideline	**Conclusion**	**Checklist**	
Professionals cannot rely on their training of their initial degree or practical experience.	● Have you attended any workshops in the past six months for working with families?	**Yes**	**No**
	● Do you receive any academic journals or articles on new developments related to divorcing families and parenting plans?	**Yes**	**No**
Contact with other professionals in your field is a necessity.	● Have you recently interacted with colleagues to discuss new ideas?	**Yes**	**No**
	● Have you attended a research seminar on new research done in your field?	**Yes**	**No**

Individuals attending the sessions				
Guideline	**Conclusion**	**Checklist**		
It is important that both parents are included in the sessions.	● Does your intervention or sessions include both parents? ● Do you communicate with other professionals to understand the ideas, wishes of other parents?	**Yes**	**No**	
Children should be included in the sessions.	● Do your sessions include children? ● Do you refer children for assessment if you are not qualified to work with them? ● Does your parenting plan include the wishes and needs of the children?	**Yes** **Yes** **Yes**	**No** **No** **No**	
Other family members or institutions can be included in the process.	● Do you include extended family members in your sessions? ● Do you take time to read other reports provided by parents? ● Do you ask for reports from other professionals or schools?	**Yes** **Yes** **Yes**	**No** **No** **No**	
Using a template or questionnaire				
Guideline	**Conclusion**	**Checklist**		
Professionals should not rely on a template or questionnaire as only tool for their evaluations.	● Do you only use a template or questionnaire for information? ● Do you make use of other tools to acquire more information? ● Do you consult with other professionals? ● Do you use other records, reports or history information?	**Yes** **Yes** **Yes** **Yes**	**No** **No** **No** **No**	
Education				
Guideline	**Conclusion**	**Checklist**		
Professionals should educate parents on parenting plans.	● Do you explain the process of drafting a parenting plan to both parents? ● Do both parents understand their roles and responsibilities in terms of parenting? ● Do you explain to parents that some protecting factors have an influence on their parenting? ● Do you give a contract or quotation to the parents in the beginning of your session? ● Do you educate parents on the best interests of the child?	**Yes** **Yes** **Yes** **Yes** **Yes**	**No** **No** **No** **No** **No**	

The process you follow when drafting a parenting plan.			
Guidelines	**Conclusions**	**Checklists**	
Professionals should follow a structured and well-developed process when drafting a parenting plan.	● Do you follow a specific process?	**Yes**	**No**
	● Is your process structured with specific phases?	**Yes**	**No**
	● Do you explain the process clearly to both parents and children?	**Yes**	**No**
	● Do you take time to explain the legislative aspects of a parenting plan to parents?	**Yes**	**No**
	● Do you draft a separate parenting plan or is it part of your other settlements with parents?	**Yes**	**No**
Parenting plans should include all topics as identified in the act.	● Does your parenting plan include all topics around parenting? Topics like schooling, religion, maintenance and contact with parents.	**Yes**	**No**
		Yes	**No**
	● Does your parenting plan include all information as obtained during the sessions?	**Yes**	**No**
	● Does your parenting plan include the child's wishes?		
Other matters			
Guideline	**Conclusion**	**Checklist**	
It is essential that professionals change or re-draft parenting plans according to the children's developmental phases.	● Do you ever review a parenting plan that you drafted after some time?	**Yes**	**No**
	● Do you follow up on clients after time?	**Yes**	**No**

A parenting plan must be well-written, the process must be structured and for a parenting plan to be labelled as successful it must include all the family's needs and wishes.

9.5   CONCLUSION

This chapter concluded the guidelines for both parents and professionals after the literature review and after the qualitative and quantitative empirical data was collected and analysed. In South Africa, as in the rest of the world, divorce is on the increase and this means the family structures change and become complicated for all (Gildenhuys, 2015:

7). The researcher concludes this explorative study has gained new insight for understanding the challenges these families face, but also as to how both parents and professionals can be part of the solutions and not the problems in restructuring these families.

CHAPTER 10
CONCLUSIONS AND RECOMMENDATIONS

10.1   INTRODUCTION

Legislation and the family courts have done significant work in protecting the well-being and health of children from divorcing families and since 2005 (Children's Act) shared parenting, parenting plans and mediation were introduced to safeguard the best interests of children from these families. Despite all these changes and promotion of healthy families post-divorce, families and professionals still struggle to implement these aspects.

The researcher identified this gap and decided to explore the factors that influenced the implementation of parenting plans in South Africa. The intention of this chapter is to provide the key findings, conclusions and recommendations of this study. The aim of this study is to answer the following research question: What factors influence the implementation of parenting plans in South Africa? The researcher explored the psycho-social needs experienced by children in middle childhood of divorced parents from the Family Systems Theory and the Ecological Systems Theory. The literature review carried out in chapters two, three, four and five presented the basis for the empirical study. Chapter six gave a full description of the research methodology that the researcher followed during this study. The first phase followed a qualitative research approach that was carried out and the findings were discussed in chapter seven. The following chapter, Chapter eight, discussed the second phase of the study, namely the quantitative phase which was to investigate the views of professionals in drafting and using parenting plans with divorced parents in practice.

The findings of this study which are limited to the specific samples served as an account of the views parents and professionals have around the implementation of parenting plans in South Africa and were used to develop guidelines (with user-friendly checklists) for implementing parenting plans in practice for parents with children going through divorce, and for professionals working with these families. Following on what has been discussed

in the preceding chapters, chapter nine provided conclusions and guidelines for these families and professionals working with them. These conclusions will be discussed in line with the objectives of the study and the themes investigated. The conclusions will be discussed followed by the corresponding recommendations as per the outline of the previous chapters.

10.2   GOAL AND OBJECTIVES OF THE PRESENT STUDY

The goal of this study was to explore and describe factors influencing the implementation of parenting plans in South Africa. The following research objectives had to be achieved:
- to contextualize principles, rights and responsibilities of the parents as pertaining to parenting plans;
- to contextualize parenting plans within the divorce process with reference to the impact of divorce on children in middle childhood;
- to explore and discuss divorced parents' experience of parental responsibilities towards their children during divorce;
- to describe the views of professionals in practice on the implementation of parenting plans and explore their recommendations for effective parenting plans;
- to draw conclusions and develop guidelines, with user-friendly checklists for implementing parenting plans in South Africa for parents with children in middle childhood going through divorce, and for professionals working with these families.

The researcher's exploration started with the proposal, planning, literature study and theories the research was embedded in, followed by the qualitative (first) phase, then the instrument development (questionnaire), followed by the quantitative (second) phase, development of guidelines and a user-friendly checklist and ending with this chapter consisting of the findings, conclusions and recommendations.

The researcher is confident that the aim was achieved, and it would be evident through the achievement of the objectives.

10.2.1 Objectives of the research study as pertained in the consecutive chapters

Objective 1: To contextualise principles, rights and responsibilities of the parents as pertaining to parenting plans

Chapter four focused on parenting plans and co-parenting. The rights and responsibilities of parents derive from the Children's Act 38 of 2005 that has been in practice since 2005 and the Act also contains the principles that need to be implemented to assist the parents in the transitional period after divorce. The researcher explored the legislative framework that underpinned parenting plans within the South African context. The following components were discussed:

- Legal instruments in structuring parenting plans.
- Purpose of a parenting plan.
- Advantages of a parenting plan.
- Elements of a successful parenting plan.
- Co-parenting
- Developmental considerations of parenting plans.

The overview of the legislative framework, literature on the positive outcomes of the use of a parenting plan, and the most crucial elements that need to be addressed in such a plan received attention. Following this, the reasoning behind co-parenting and the added value for children of divorced parents, the necessity of drafting parenting plans aligned with children's developmental phases and a complete overview of the chapter provides an understanding of parenting plans in the context the researcher intended.

Chapter five focused on the process of mediation and parenting plans in South Africa. This chapter clarified misconceptions parents or professionals might have in the use of mediation during the draft of parenting plans. The fact that mediation and parenting plans are relatively new concepts for all involved with divorcing families made this information essential. The process of drafting parenting plans was explored and the rights/responsibilities of parents towards their children were addressed with the topics of

a parenting plan. Further, the chapter gave a clear concept of parenting plans and mediation as handled in South Africa. The thorough exploration, definition, topics and discussion led to the achievement of this objective.

Objective 2: To contextualise parenting plans within the divorce process with reference to the impact of divorce on children in middle childhood.

The second objective intended to clarify the process of parental divorce and the influence of divorce on children in middle childhood. Chapter two addressed this objective and focused on the phases of parental divorce, the effects of divorce on children according to their developmental phases, and factors that affect children's adjustment to divorce.

The researcher started this chapter with the distinct phases of parental divorce. Finley and Schwartz (2010:515) and Harkonen (2013:3) underlined that the process of divorce is one of the most often mentioned major life events with multiple adjustment issues for both parents and children. The researcher described the phases of divorce and the influence on children, due to the increase of divorces in South Africa and the literature that provides evidence that divorce is not a one-time event, but a lifelong process more complex than societies make it out to be. The research in this chapter also indicated that families that are in the process of restructuring their families post-divorce need support by community systems as this is not an isolated event, and it influences more than just the direct family members.

The restructuring within families from intact to what Constance Ahrons (2007:52) calls "binuclear" families involve not only the family members but has a direct impact on the societies. Chapter three contained the theoretical framework for the study, namely the Ecological Systems Theory and Family Systems Theory and linked parental divorce with the impact it has on the family systems and the ecosystems. Changes within the family result into challenges within different systems, and the explanation of this concept concluded the literature study.

The conclusion of this chapter clearly was that although parental divorce is traumatic for children, parents can create post-divorce circumstances than can positively assist their children.

Objective 3: To explore and discuss divorced parents' experience of parental responsibilities towards their children during divorce.

As seen in the previous chapters, the researcher made use of a mixed-methods approach to explore the answers to the research question on parenting plans. The researcher followed an exploratory sequential mixed-method design in which the qualitative findings were described in chapter 7 and the quantitative findings described in chapter 8. For the qualitative data parents (40) who met the criteria were interviewed and their own perception of their parenting plan were explored. Data was analysed and the factors that influenced the implementation of parenting plans were concluded and recommendations made. The quantitative data was collected by means of a survey with professionals and from the findings, recommendations could be formulated. This objective was addressed in the first part of chapter seven with the qualitative empirical study. The first part of chapter seven (Theme 1 of Section B) explored the parents' perception and experience of their parenting plans during divorce. The following sections were covered:

- Parenting plans and divorce.
- Perception of a parenting plan.
- Definition (opinion) of a parenting plan.
- Importance of a parenting plan during divorce.
- Experience of own parenting plan.
- Knowledge around your children's needs during divorce.
- Process of drafting a parenting plan.
- Professionals drafting your parenting plan.

The exploration and discussions as indicated in the chapters led to the achievement that identified the parents' experience of their responsibilities and added to the fulfilment of this objective.

Objective 4: To explore and discuss the factors that influence the implementation of parenting plans.

The second part of chapter seven (Theme 2 and 3 of Section B) explored the factors that influence the implementation of parenting plans as experienced by parents. This part of the study's qualitative approach was obtained by means of semi-structured interviews of 40 participants to collect data about their experience of their own parenting plan – this exploratory and descriptive method was used due to the nature of the topic being explored, as little knowledge is available, and the researcher envisaged to build a new understanding of the phenomenon (Nieuwenhuis, 2016:55). Parents were interviewed on their own experience of their parenting plans in practice and what factors contributed to their plan being a success or failure. The researcher obtained the research participants from the database of professionals and as identified from their practices and organisations. The population for the study included families who experienced divorce during the last three years, with children in the middle childhood phase (6-12 years) and who made use of parenting plans during their divorce. The families that participated in the study all came from the Gauteng Province, particularly the West Rand. The participants' experiences of their own parenting plan were explored, and each interview was audio recorded. The subjective description of participant's experience of the factors that influenced their parenting plan, changes that were made, evaluation of their own plans and their recommendations to other parents were investigated. The participants' experiences were directly quoted, and the data gathered provided the researcher with detailed, rich descriptions of the factors that influenced parenting plans in practice. The information gathered correlated with the literature study discussed in the previous chapters. The experience and perceptions were visually diagrammed, and the objective reached through a thorough understanding of the factors influencing the implementation of parenting plans according to participants.

Objective 5: To describe the views of professionals in practice on the implementation of parenting plans and explore their recommendations for effective parenting plans

The second phase (quantitative) of this mixed method research, as discussed in chapter eight, explored the views and recommendations of professionals in practice on the implementations of parenting plans. The population of professionals consisted of eighty-one (N=81) respondents that completed a self-administered questionnaire that comprised of sixteen sections. The researcher made use of a non-probability, purposive sampling, a sampling method based on the sampling criteria. The population in this phase consisted of professionals and included advocates, lawyers, psychologists, mediators and social workers who in practice work with or have extensive knowledge of parenting plans, divorce and families with children. The researcher estimated to have one hundred (100) professionals, but in the end only eighty-one (81) completed the questionnaires. The quantitative data was analysed by means of statistical analysis and presented by means of graphs, tables, figures and frequency distributions. The statistical analysis was done by the North West University.

In some of the questions a statistical association between the two variables were revealed and in some not. The sample size in the present study was not large enough to meet the frequency requirements of a Chi-square test, therefore the researcher made use of the Fisher's exact test recommended for smaller groups. For statistical association the researcher combined the professions into two groups to be able to apply the cross-tabulation. The researcher realized that the same challenges that were identified by the parents with regards to inclusion of children and the process followed when drafting parenting plans, were addressed through the quantitative research. The last two questions contained qualitative research that was divided into themes.

Objective 6: To draw conclusions and develop guidelines, with user-friendly checklists for implementing parenting plans in South Africa for parents with children going through divorce, and for professionals working with these families

Objective six was addressed at the end of the research (chapter 9 and 10). Chapter nine provided guidelines to professionals and parents with regards to the implementation of parenting plans in practice. The idea for the researcher was to design a checklist that is user-friendly and practical, for parents in the process of divorce and for professionals working with these family. Previous research (Combrinck, 2014; Mundulamo, 2016; Robinson, 2010) has been done pertaining to parenting plans and guidelines, but no practical and user-friendly checklists have been developed in the South African context.

Based on the above and the previous discussions in confirming whether the objectives were met, there is a clear indication that the goal and objectives of the current study were achieved.

10.3   RESEARCH QUESTION

The research question was: What factors influence the implementation of parenting plans in South Africa? The researcher answered the research question through the use of the mixed methods approach. In the first part of the empirical research the researcher explored the views of divorced parents on factors influencing the implementation of parenting plans. In the second part of the research, namely the quantitative part, the views of professionals working with and drafting parenting plans were explored on factors influencing the implementation of parenting plans. Positive and negative factors were identified from the two sample groups. The literature review and the two sets of research data answered the formulated research question.

10.4 THEORETICAL FRAMEWORKS OF THE STUDY

The researcher made use of the Family Systems Theory and the Ecological Systems Theory as theoretical framework for the current study. The Family Systems Theory appeared to be appropriate for this study due to its unique way of addressing the family as a system and unit that influence other systems directly. Fagan and Churchill (2012:40-42) emphasise the overall family stability is under huge pressure once divorce occurs, due to the constant changes that individuals need to make and the influence these changes have on the family functioning and greater society. The Family Systems Theory gives clear direction to all professionals working with separated and divorced families. This theory assists with a holistic understanding of the family unit and their functioning – or during this traumatic phase their lack of proper functioning and the influence on the different subsystems. The Family System Theory assists the parents and professionals in assessing the ways in which conflict is maintained in the family and how it affects the children.

The Ecological Systems Theory on the other hand, indicated the environmental levels involved in family challenges and how these levels correlated with each other during their reorganising. The researcher made use of the Ecological Systems Theory due to the split in families that immediately create new systems. When families are split into two family systems, the child becomes a full member of both micro family systems and this becomes a unique situation for the child as he/she needs to interact with both family systems (Ebersohn & Bower, 2013:639). Benokraitis (2015:35) explains that the environmental events, and transitions over the course of life will have an impact on the child's development in the long run and this needs to be administered.

Previous studies (Ebersohn & Bower, 2016:640) link with this current study regarding the factors that influence a child during parental divorce and the process of parents trying to reorganise themselves. The factors, determined by this study, like ongoing parental conflict of two biological parents and the child's loyalty conflict created an imbalance in the overall system, which affects all other systems – and that can only be identified with

the assistance of the Ecological Systems Theory. For both parents and professionals to understand the protective factors such as co-parenting, respectful communication and putting the best interests of the child as priority during parental divorce, it is of the essence to understand the systems and their influence on each other. The researcher discussed both these theoretical frameworks in the context of the study in chapter three of this study.

10.5 KEY FINDINGS AND CONCLUSIONS

Subsequently, the key findings and review of the literature study, the research methodology and the key findings with conclusions of the empirical study will be presented in the next session.

10.5.1 Literature review

All research projects start with a good, thorough and wide literature study. Maree (2016:28) explains that a literature review provides an overview of the current available facets of the topic and the researcher must decide whether the previous studies had any flaws in terms of the methodology, context and concepts used. The value of obtaining more knowledge about a topic, the establishment of the theoretic roots for the study and review of the different methods make a literature study inseparable from the study. Chapters 2, 3, 4 and 5 were devoted to the relevant literature and key findings will be discussed below.

10.5.2 Parenting plans and co-parenting

Chapter four included an introduction to the concept of parenting plans, legal instruments used in parenting plans, purpose of a parenting plan, and advantages of using a parenting plan, elements of a parenting plan, co-parenting, and developmental considerations for a parenting plan. The following key findings were identified.

10.5.2.2   Key findings

- The traditional visitation arrangements of children post-divorce, where children reside with one parent and visit the alternate parent during weekends/holidays, are outdated and do not meet the needs of most children.
- Both parents should be actively involved in their child/children's lives after parental divorce with the aim of having the best interests of the child as aim.
- A parenting plan is a written agreement between two parents during divorce.
- Most parents find a parenting plan to be useful in practice.
- Drafting parenting plans is a "relatively new" concept in South Africa.
- Parenting plans direct parents in their responsibilities and rights towards their children after divorce.
- Parents often insist on being the focus in the intervention process and often refuse professionals' access to their children.
- A child's best interests and welfare should be promoted in a parenting plan.
- Children have the right to express their view during parental divorce.
- There is a vast number of guidelines available for drafting parenting plans.
- Legislation is exact on the specific principles that should be followed during the draft of a parenting plan.
- Parents should consult a family advocate, social worker, psychologist or mediator when drafting a parenting plan.
- Parents should first seek intervention before approaching the court.
- There is no perfect model for drafting a parenting plan, as each family is unique, and their circumstances differ.
- Parents should make joint decisions regarding their children and if in disagreement both should try harder.
- A parenting plan will cover issues such as communication, education, medical, extra-mural activities, religion, transport arrangements, new partners and other issues that parents view as essential.
- The most important purpose of a parenting plan after divorce is to protect children from parental conflict.

- Developmental phases and the child's needs should be considered in parenting plans.
- Children benefit from consistency and when parents work together (co-parenting).
- Visitation schedules are the most important aspect of a parenting plan, as it gives direction to post-divorce life.

10.5.2.3   Conclusions

- It was concluded that the South African judicial system has contributed meaningfully to improving, promoting and protecting children's rights pertaining children's issues.
- Most researchers agree that parenting plans always be child-centred.
- The conclusion was made that a parenting plan address the duties, rights and responsibilities of parents clearly.
- A parenting plan acts as a safety net for children and it protects all family members from continuous conflict.
- It was concluded that a huge part of the success of parenting post-divorce can be directly linked to the thoroughness and preparation of the parenting plan.
- A parenting plan has to be in writing and contain the activities, care, development, discipline, transitions and conflict resolution of the children in their daily lives.
- Co-parenting is the way in which both parents decide to fulfil their duties as parents towards their children after divorce.
- Despite all the research on co-parenting after divorce and the success of a good post-divorce parenting relationship, reality concluded that only 30% of parents make use of a co-parenting system with joint decision making and flexibility.
- The structuring of a well-organised, practical and realistic parenting plan should be a unique process captured by the individual needs of all family members, but especially the child.
- Parenting plans should include the developmental phases of children and it should be age-appropriate.

- Children of divorce, living with joint custody arrangements feel more loved and accepted.
- Protective factors like both parents being involved in the child's life, shared custody, co-parenting and a well drafted parenting plan can soften the effects of parental divorce.
- Lastly, it was concluded that a workable parenting plan for the divorcing family can only be possible if all parties are involved and give their full cooperation.

10.5.3 Family Systems Theory and Ecological Systems Theory

Chapter three focused on the theoretical framework that was used during the research.

10.5.3.1   Key findings

- During divorce, families change, restructuring themselves from an intact family to becoming a "binuclear" family. This means the one family system is changed into two subsystems (households).
- One school of thought suggests that the stigma of divorced families impact children for life, as they have feelings of failure, loss, anger, betrayal, loneliness and psychological issues.
- The family unit will change, but the individuals will move through the stages of divorce at their own pace, leaving other members behind and confused.
- The family functioning is directly influenced by the changes of individuals and the stability of the family is undermined.
- Family communication is under pressure, due to miscommunication or the lack of communication and even the inability to express yourself.
- A primary concept of this system is that the family is a system, with various parts, each influencing the other and working toward growth and homeostasis.
- The dysfunctional families can return to a healthier state of functioning through homeostasis.

- All families have closed (uncooperative) systems and open (approachable) systems with boundaries.
- Role organisation and expectations are influenced by culture, ethnic background, and experience in the family in which they grow up, lifestyle and family size.
- It is important to note that the influence of extended family plays a role in terms of hierarchy.
- Climate refers to the emotional and physical environment to which a child is exposed.
- Balance in the family ensures the members know what to expect and it gives them security and provides equilibrium.
- The Ecological Systems Theory refers to five systems: microsystem (that which influence the child directly), mesosystem (the relationship between all), ecosystem (environmental settings), macrosystem (the culture), chronosystem (environmental changes) and chronosystem (events/transitions). The Ecological Systems Theory is nested in the systems that affect all individuals within the system. The systems' interaction and response with the social context influence the individual. In the case of divorcing families, the parental divorce influences the child.

10.5.3.2   Conclusions

- During divorce all family members go through rearrangements and individuals are highly affected by the process, especially children.
- The researcher concluded that it is very important for post-divorce families to reconstruct themselves and to find balance in their functioning.
- It was agreed that the emphasis is not on individual family members, but on how the members interact with each other.
- Families with closed systems tend to be more resistant and uncooperative during parental divorce, while open system families are more approachable with communication and interaction during the process.

- It was concluded that during parental divorce the family subsystem is at risk if the parent form subsystems with their children or even when the child is in the middle of the different subsystems.
- All family members have separate roles to play and those roles guide them.
- Every time the family composition changes for example during divorce, a shift takes place within the family system hierarchy. It is during this stage that professionals might encounter power struggles and conflict between parents.
- If the professional correctly assesses the family climate, then the process of mediation and drafting of a parenting plan will be easier.
- The researcher concluded that consistency in divorcing families can be difficult to keep, but it remains very important for the children as it gives them a sense of security.
- It was concluded that it is only within a family system view that professionals can be sensitive to the impact on all family members and it should be viewed holistically as affecting the whole family.
- The conclusion was made that divorce composes a potentially catastrophic and overwhelming reality in societies, but that the Ecological Systems Theory can assist in the restructuring process to understand the influence of all systems involved.
- It was concluded that all systems influence each other and that this has an influence on the child's well-being and development.
- The researcher concluded that the best possible world for a child post-divorce is if both parents can communicate with each other and regard the child's best interests of paramount importance.

10.5.4 Divorce and children

After the literature study on divorce and children in chapter two, the following key findings are reported:

10.5.4.1   Key findings

- In our societies it is evident that although divorce has become an increasing part of our daily lives, parties involved can use this potential traumatic situation to create positive experiences for all.

- The process of divorce is one of the most often-mentioned major life events with multiple adjustment issues for both parents and children.

- Divorce is not a one-time event, but a lifelong process and more complex than societies make it out to be.

- The microsystem of divorced children is now divided into two families or households.

- The process of divorce is divided into six stages: emotional stage, legal stage, economic stage, co-parental stage, community stage and religious stage.

- After divorce, children often battle to form good relationships with their parents, especially with the non-custodial parent who is often the father.

- The effects of divorce are divided into two schools: those who consider that children are doomed for life, with serious problems and then the group that considers the effects as short-term and that parents can make the effects less-traumatic and assist children to adjust with great ease.

- It is noted that specific factors can influence a child's reaction to parental divorce: age, gender, socioeconomic status, relationships before the separation, parental conflict and the child's participation, the parent's ability to parent after divorce, conflict that simply continues and the child's experience of loss.

- The above effects can be minimized with the way parents handle their divorce.

- Children's reaction to parental divorce should be seen holistically and includes age, temperament and developmental stage of each individual child.

- The co-operative relationship between parents is a valuable factor in children's reaction to parental divorce.

- Growing up in a high conflict family have negative effects on children's well-being.

- Children fare better behaviourally and academically if their living arrangements include the support and love of fathers who are involved actively in the daily life of their children.

10.5.4.2 Conclusions

The following conclusions were made:
- Divorce has an impact on all the aspects of family life and all involved are traumatised by the final decision; the biggest challenge is with the reconstruction of the family into two different houses.
- It is of essence to recognise the various stages of divorce, but it should be noted that each stage takes time and is an individual process.
- It was understood that often children believe that they caused the divorce or that they did something wrong causing parents' decision to get divorced; then children often feel sad, depressed and angry.
- An estimated 40% of the 18 million children in South Africa grow up in single households, which means due to divorce the family systems change.
- Three basic factors can minimise the impact of parental divorce: the transitions following the divorce, exposure to continued conflict between parents and custody battles.
- The researcher concluded that children prefer more contact with the non-custodial parent than parents agreed upon and in most instances these children prefer a plan with shared physical custody.
- The most important conclusion was that children recover better once parents stop quarrelling around visitation rights, stop threatening with court procedures and put the needs of the children as priority.

10.5.5 Mediation model and parenting plans in South Africa

The last literature chapter, chapter five, focused on mediation and parenting plans in South Africa. The following key findings are outlined:

10.5.5.1   Key findings

- In South Africa a shift was made in the parental authority or parental power with regards to the child's rights and the parents' responsibility.
- The process of mediation was introduced to encourage divorcing parents to reach an agreement and try to solve their problems to reflect the best interests of their children.
- The goal of mediation is to have the best practical solutions that meet the family's needs.
- Mediation is part of the dispute resolutions as stated in the Children's Act 38 of 2005.
- Mediation is seen as a way in which all family members reach a mutually satisfying agreement that addresses their needs and rights post-divorce.
- Mediation improves connectivity and reduces legal costs.
- The process of discussion should be nourished and sustained, but no decisions should be made as the mediator is merely a non-biased third party.
- Divorce and family mediation are governed by general principles: it takes place within the boundaries of the law, it is a fixed multi-stage process directed by the model followed, it is private/confidential, and the outcome is incorporated in the settlement agreement, it is multi-professional and a holistic process, the end goal is to reach an agreement and the outcome is controlled by the parties.
- In South Africa a vast amount of research has been done in the drafting of parenting plans, with the most used models being the Family and Child Mediation (FCM) and the three-phase model of Robinson (2010).
- Both these models include contractual phase, facilitation or mediation phase and the report writing phase.
- Both parents and children are included in these processes.
- Confidentially matters, fees, timing, signature, interviews and contracts are some of the aspects the professionals manage.

- In South Africa the most important aspect is that a parenting plan should always be in the best interests of the child.
- Professionals working with divorcing families in drafting parenting plans should at least have a graduate qualification in a relevant field and should be trained in child development, child and adult functioning and family systems.
- Professionals should act ethically and abide by the rules of their profession.

10.5.5.2   Conclusions

- It was concluded that a parenting plan supports the best interests of the child as the main aim of mediation.
- The researcher concluded that mediation could encourage communication between parents and promote the child's needs.
- The primary objective of the professional will be to give assistance to the divorcing family, guide the process of mediation and to handle disagreeing issues between all parties.
- It is important to note that when professionals take time to educate parents and children, all of them display more insight during the process of drafting a parenting plan.
- The researcher concluded that ethical conduct and guidance is a way the professionals can protect themselves and their clients.
- It was concluded that it is always in the best interests of the child as well as the parents to voluntarily have a parenting plan compiled to guide them on their future with their children.
- Researchers concluded that professionals should support parents to choose an out of court divorce with constructive mediation, as this will assist parents to control their divorce and ensure their children's needs are the central focus.
- The conclusion is that whether parents decide to make use of mediation to draft a parenting plan or not, the matter remains that children are better off after divorce if they are able to spend time with both their parents and the extended family.

10.6   KEY FINDINGS AND CONCLUSION OF THE EMPIRICAL STUDY

As indicated in this chapter previously the researcher made use of a mixed-method approach and to be more specific the exploratory sequential mixed-method design. Ivankova, Creswell and Plano Clark (2016:15) mention the exploratory sequential design is used when a researcher, like in this study, first needs to explore a topic using qualitative data and then measure or test it quantitatively. The researcher will discuss the key findings in the two approaches separately in the next headings.

10.6.1 Key findings of the qualitative phase

The researcher will give an overview of the first (qualitative) phase of the mixed-method research. The empirical findings were presented according to categories, themes and sub-themes as discussed in chapter seven of this study. The following categories were addressed:
- Family compositions.
- Perceptions of parenting plans.
- Factors influencing the implementation of parenting plans.
- Recommendations.

From these categories, subsequent categories were formed which include the individual opinions of parenting plans, individual experiences of parenting plans, knowledge gained by the plan, process followed in drafting the parenting plans, the families' experience of their own parenting plan and then recommendations the participants give to parents and professionals.

10.6.1.1   Key findings of the participants in the research

This section will offer a perspective on the participants and their perceptions. The table below will include the themes, the key findings based on the participants' feedback and then conclusions.

Table 10.1: Biographical profile of participants

Theme	Key findings: participants	Conclusions
Biographical profile	From the forty (N=40) participants sixteen were males and twenty-four were females. The age range were between 25 and 54 years. The families came from Carletonville, Fochville, Westonaria, Randfontein, Roodepoort and Johannesburg. The qualifications varied from school leavers to College or University degrees.	Most of the participants were well educated woman in the middle adulthood phase.
Employment and income	From the 40 (N=40) participants 35 the majority were full time employed, while only 5 did not work.	The participants were mostly employed.
Family structure	Most of the participants live with a new partner and all had children. The children in this study were all from age 6 to 12; only 7 families had older children.	The families already started their process of restructuring from intact families to binuclear families. The children that were part of the study fitted the sample which required middle childhood (6-12 years).
Middle childhood	From the 47 children, 17 were female and 30 were male. Most of the children were the participants' biological children, except for 3. Most of the children in this study attended primary school, while only 3 were in pre-primary school.	The children in this study were mostly male children that were the biological children of one of the participants. The children mostly attended primary school.

The above concluded that the participants were mostly well educated, employed females.

The families all already started their process of restructuring their families post-divorce.

Children in these families were all in middle childhood (6-12 years) and attended primary school.

SECTION B: Parenting plans and divorce

Table 10.2: Perception of parenting plans

Theme 1: Perception of a parenting plan		
Theme	**Key findings: participants**	**Conclusions**
Definition of a parenting plan	The findings conclude that participants define a parenting plan as a guideline, book of rules, agreement, a binding document, legal contract between parents. The finding was that a parenting plan addresses matters like primary residence, care taking, contact arrangements, education, living arrangements, support, care and medical needs. Most of the participants mention a parenting plan should be in a child's best interests. It gives structure, assist with communication and conflict resolution.	Parenting plans assist families in making effective changes to address the children's needs post-divorce.
Importance of a parenting plan	All participants agreed that a parenting plan is important, due to the following: ● Gives structure ● Children are raised in the same way ● Children not confused ● Clear responsibilities ● Safe option ● Eliminates parental conflict ● Rules are in writing with no misunderstanding ● Both parents have equal rights ● Both parents are available ● Limits loopholes ● Gives fathers access ● Commitment to co-parent ● Excludes emotions	Participants concluded that a parenting plan is a safe option that fosters relationships between both parents, it gives clarity on parental rights and responsibilities, it makes planning easier and give all individuals peace of mind. A positive factor is that a parenting plan is cheaper than going the litigation route and it retains adult issues.

	● Limits anger issues	
Experience of own parenting plan	From the feedback of participants, the following factors were needed for the plan to succeed: ● Same rules in both homes ● Agreement to co-parent ● Both parents should be involved ● Same routine and discipline methods ● Recognise child's best interests ● Keep child's developmental phase in mind and their age ● Parents ability to communicate adult matters Parents who mentioned their plans were a complete failure ascribed the failure to: ● Parents fight and argue in front of the children ● Children manipulate parents, due to lack of co-parenting ● Lack of discipline, routine and rules ● Inability to co-parent	It was concluded that the attitude of both parents is a crucial factor in the success or failure of a parenting plan, as a plan is only a piece of paper. The parent's ability to communicate and cooperate in an adult manner with regards to their children's needs, was another factor outlined.
Knowledge gained by drafting a parenting plan	Participants indicated that their knowledge around parenting increased after drafting their parenting plan.	It was clear that parents experienced they have gained knowledge with regards to their children's needs after divorce. Some participants stated that parents know best what children need and should not be reminded by a plan or professionals.
Process of drafting parenting plans	Parenting plans were mainly drafted by lawyers and social workers. Some participants indicated that they drafted their parenting plan on their own. A small percentage of the participants acknowledged that their process of drafting a	It was concluded that there seems to be a huge discrepancy in the process that professionals use in the drafting of parenting plans.

	parenting plan was a well-developed process that included both parents and children. However, many participants reported that their children were not included in the process of drafting a parenting plan. Some participants had a template to complete for the information of their parenting plan. Two participants indicated that they were not involved in the process of drafting their parenting plan. Some participants reported that their lawyer managed everything, including the communication and drafting of the parenting plan. Only one participant reported that their parenting plan was not completed at all, due to conflict and adults not being able to agree on all terms.	
Obtaining a professional to draft a parenting plan	Most participants reported that they did not battle to find a capable professional to draft their parenting plan.	It was concluded that professionals drafting parenting plans were easily accessible, yet more than 50% of the respondents were not happy with their parenting plans.

In the summary above it is emphasised that most parents regard a parenting plan as of immense value during parental divorce, as this assists parents in making correct choices for their children, it is a safe option to foster relationships between parents and children, it broadens the knowledge of parents around the needs of children and it is much cheaper than the legal option.

The participants indicated that access to professionals writing plans is quite easy, but the process professionals use is not standardised. The researcher noted that although access

to professionals is no problem, parents seem to be unhappy with the result or their parenting plan.

Theme 2: Factors influencing the implementation of parenting plans

Table 10.3: Factors influencing implementation of parenting plans

Theme	Key findings: participants	Conclusions
Successful and unsuccessful factors influencing implementation of parenting plans	Feedback from parents who experience their plan was a success indicated the following as contributing factors: ● Parents adaptable ● Continuous communication ● Parents compromising ● Co-parenting ● Child most important ● Same routine, security and discipline in both houses ● Positive attitudes from both parents ● Respect to all individuals ● Both parents equally involved ● Plan stipulated roles and responsibility ● Both parents committed to make it work ● Parents being lenient ● Best of both worlds ● Child's developmental needs met ● Understanding our marriage is over, but not our parenting ● Well-developed plan minimize conflict ● Children are not involved in adult issues Feedback from participants claiming their plan was a failure: ● Lack of discipline and rules ● No consistency ● Overcompensation ● Feelings of guilt	Parenting plans is not one size fits all, it should be as unique as the family and their needs. Both biological parents should be involved in the child's life, but not to continue the fighting but rather to support and respect each other as co-parents. It was clear that parents have a choice in the success or failure of their parenting plans. Only they can make it work. Another factor that came out clear was that the positive attitudes of both parents can give the children the best of both worlds. Parents should be careful not to over compensate due to the fact of not being able to give their child the luxury of being raised in their home of origin.

	● Parents not equipped to handle all the changes ● No co-parenting ● Absent father ● No provision for child's developmental needs ● Parents not committed ● One parent being unstable ● Anger and hate between parents ● No communication ● Continuous conflict ● Interference of new partners ● Financial overloading of the father ● Plan was drafted one sided ● Resentment from ex-spouse ● Communication only through lawyers ● Plan only concerned with rules and regulations ● Plan too rigid and no place for changes	
Involvement in drafting the parenting plan	With regards to inclusion in the process it was clear that professionals did not agree. Both adults did not always attend the sessions and some of the participants acknowledged that their children were included. Some parents themselves were not involved in the drafting of their own parenting plan.	Professionals do not follow the same process or include all the family members when drafting parenting plans in practice. Parenting plans should be child centred, yet children are not included in the sessions.
Effectiveness of your parenting plan	More than half of the participants agreed that their parenting plan was beneficial for all family members. Most of the parents that said their plan was not effective thought it was not in the best interests of their children. Some parents felt that their plan was one-sided. It was quoted that their plan did not promote communication or benefitted their family patterns.	The researcher concluded that professionals working with families' post-divorce should evaluate the family and the interaction of all its members should be acknowledged. The Family Systems Theory underlines the principle that the family is

		just as important as the individual members.
Family members adhering to parenting plan	Regarding the successful implementation of the parenting plan participants acknowledge adhering to their parenting plan. Parents that were positive mentioned that they support each other, respect each other and their child and work as a team in raising their children. From the negative point, the participants added that no one is adhering to the plan and that it is just a piece of paper. Blaming each other was a huge challenge with these participants. The two participants who adhere sometimes mentioned that it was easy in the beginning and then it became challenging work keeping to all the rules.	It should be noted, again, that both parents make a conscious decision to make their plan work and that they should support each other in raising their children after divorce.

The above clearly reflected that parenting plans should be as unique as the family and that one size cannot fit everyone. Children need both parents involved in their life to grow positively into well-adjusted adults. Divorce is not a reason for the lack of discipline, routine or good manners. Some professionals still do not include children when drafting a parenting plan, yet a parenting plan needs to be child-centred. The health and well-being of families should overrule individual selfishness.

Theme 3: Recommendations to parents and professionals

Table 10.4: Participants' recommendations to parents and professionals

Theme	Key findings: participants	Conclusions
Recommendations to other parents	The following recommendations were made: ● A parenting plans is a necessity for every family and not a luxury.	It is a reality that divorce is a huge and traumatic challenge, but parents can take a conscious decision to promote their

	• Divorce is traumatic for all and parenting plans give a sense of security. • Children should be involved, based on their age and maturity. • Parents should put their own feelings aside and focus on their children. • Divorce is an adult problem, do not put your child in the middle. • Parents should be reasonable towards each other. • The priority is the children and not parents' own feelings. • Children needs both parents actively involved in their life. • Children need guidance and should not have to choose between parents. • Emotions should not play a role in your child's future. • The divorce and parenting plan must work for all family members. • No one should suffer after divorce. • Parents should consult with a professional. • Divorce is not the end of a family, but simply a division into two – where both parents co-parent. • Parents should not criticise the other parent. • Compromise for the sake of the children. • Parenting plans limit conflict and promote a child's well-being. • Children's needs cannot be addressed by a piece of paper, but by two adults that prioritise their child's needs.	families' well-being over continuous fights and their selfish needs. Parenting plans are necessary for all divorcing families to contribute to the well-being of children and families.
Participants' recommendations to professionals	The participants made the following recommendations to professionals:	The recommendation that the participants directed to professionals, correlate

	● There is a discrepancy between both parents attending at the same time, due to hostile feelings – especially in the case of high conflict parents. ● Extended family members can give valuable input in these sessions. ● Too often children lose contact and touch with significant other family members. ● In high-conflict divorces a detailed and carefully structured parenting plan may assist in carrying out their parental responsibilities with minimal conflict. ● Participants reported ambivalent feelings toward professionals drafting these plans, especially those who are not objective and insensitive to family dynamics. ● Professionals should show more empathy for the situations these families are in and be unbiased. ● Professionals should address family problems with the urgency it deserves and be less clinical. ● Professionals should be careful about the presumptions they make based on information provided by an angry parent or hostile situation. ● Professionals should concentrate more on the children and less the adult that pays their account. ● Families are not the same and therefore a standardised questionnaire or template is not suitable for all. ● All family members should have equal opportunity and access to their children.	with the literature study done in the previous chapters. Counselling seems to be a valuable factor for divorcing families and professionals must sometimes spend more time on this issue. When parents trust a professional they can be open and honest in the planning of their children's future. Education is a principle in the process of parenting plans that more professionals can implement. Parenting plans should be usable in practice, inclusive, address all the family's needs, must be written as soon as possible and the process should not be rushed. The way professionals draft parenting plans needs attention. Families are unique and wants to be treated as such, not just as part of the statistics. Professionals should not rush the sessions and process with families that's in the process of divorce, it makes members more anxious.

	• Parenting plans should be adaptable and revised as the children grow older and their needs change. Most families are seen once and never again. • The rules should be workable for all and in line with working responsibilities. • Parenting plans should be user-friendly and not treated as just another paper-based exercise. • These plans should be written in such a manner that the original family are successfully divided into two separate homes and not function as dysfunctional families. • Families should be educated on parenting plans. • Professionals should be accessible for all families and communities at large should be informed about the services rendered. • Most participants were not aware that other professionals, besides a lawyer, can draft parenting plans. • The complete process needs to be described at the start, what it will cost, how long it will take and what it would entail. • Family dynamics should be clearly evaluated, and the parenting plan should be drafted by keeping all the mentioned facts in mind. • Fathers' only role can no longer be that of a financial provider, as most fathers love their children and need to be actively involved in their future. • The overall feeling is that parents should start with mediation before other matters are addressed.	Parenting plans is a crucial part of the settlement between parents, yet many parents see their plan as a complete failure. Parents experience that most professionals regard parenting plans as another obligation and a paper exercise.

		● A mediator should be calm, neutral and able to handle the conflict.	

The above matters clearly indicate that the drafting of parenting plans remains a complex and tedious process. Most participants value the importance of a parenting plan after divorce as it provides structure, eliminates conflict and protects all members included. Most participants reported that they did not have enough knowledge about parenting plans and that education can be valuable. There are a few well-developed processes used in practice, but most professionals follow their own process that parents are not accustomed to. The researcher regards the recommendations as positive and that it can be successfully implemented in practice and it can promote the growth of the professionals.

10.6.2 Key findings of the quantitative phase

The information that was gathered during phase two (quantitative) of the research study will be presented and discussed in a chronological order matching the sixteen sections of the questionnaire. The sections include the following:

- Training in parenting plans.
- Experience in working with families in the process of divorce and drafting parenting plans.
- Factors influencing the implementation of parenting plans.
- Individuals attending the sessions when drafting parenting plans.
- Practical steps when drafting a parenting plan.
- Topics that result in most conflict between parents.
- The process professionals use when drafting a parenting plan.

10.6.2.1   Biographical profiles of respondents

The biographical profiles include gender, age, province, profession and highest qualification.

Table 10.5: Biographical profiles of respondents

Question	Key findings	Conclusions
Biographical details	More participants were female than male.	Respondents were mainly female, which is a tendency in the health care professions.
	The respondents were working in Gauteng, Northwest, Free State and Western Cape. The professions were: ● 21.5% Social workers ● 10.1% Psychologist ● 30.4% Attorneys ● 10.1% Advocates ● 6.3% Family advocates ● 21.5% Other	The respondents mainly work in Gauteng and Western Cape. The professions were representative of all the professionals that are permitted to draft parenting plans.
	The qualifications included: ● 24.6% LLB ● 8.6% Honours ● 7.4% Masters ● 3.7% Doctorate ● 16% No indication	The qualifications indicate educated professionals with experience in practice.

Based on the above-mentioned findings it is evident that females in this field of divorce and parenting plans still dominate the health care professions in South Africa, while the law profession is male-dominated. The respondents that took part in this study were well divided in age and profession, showing that all groups were included. The overall remark from the above information is that the professionals were highly trained with years of experience in the field of working with divorce families in practice.

10.6.2.2 Training in parenting plans

Table 10.6: Training in parenting plans

Question	Key findings	Conclusions
Training of professionals	Almost 30% of the respondents indicated that they only had the basic training of their qualification as professional.	Only half of the professionals were trained by an accredited service provider.

| | 46.9% indicated that they had intensive training with regards to parenting plans and their training was done by an accredited service provider.

The remaining respondents indicated that they acquired their knowledge regarding parenting plans through short courses, self-study or other relevant forms of training. Almost half of the professionals indicated that their training was done by an accredited service provider and half of these professionals feel that their training was intensive enough to draft parenting plans in practice. | The other half of the respondents acquired their skills and information through short courses and self-study. |
|---|---|---|

The most alarming fact of the above-mentioned was that only 50% of the professionals indicated that they received training from an accredited service provider specialising in the drafting of parenting plans. A further alarming fact is that another 50% indicated that their knowledge with regards to the training for writing parenting plans was obtained through attending short-courses or self-study.

10.6.2.3   Experience with divorce matters, parenting plans and drafting parenting plans

Table 10.7: Experience of professionals in divorce

Question	Key findings	Conclusions
Experience in divorce matters in practice	Only 42,5% of the respondents indicated that they have extensive experience in working with families and divorce matters. 33,8% stated that their experience of divorce families	Not all professionals have extensive experience with regards to working with divorcing matters.

Experience in working with parenting plans	was sufficient, while 23,9% indicated that their experience was adequate. From the two groups of professionals it was clear that the law professionals indicated to have more extensive experience than the mental health professionals working with divorce matters in practice. From the participants 36% indicated to have extensive experience in working with parenting plans, while 31% reported sufficient experience and only 20% had adequate experience. The remaining indicated to have limited experience.	The Law professionals reported to be the most experienced in working with divorcing matters in practice. The professionals reported to have less than 40% extensive experience in working with parenting plans in practice. The Law profession once again reported to have the most experience in working with parenting plans in practice.
Experience in drafting parenting plans	The law professionals indicated to have sufficient experience, while only 20% of the health care professionals stated sufficient experience. With regards to drafting parenting plans in practice 33.8% indicated extensive experience, 32.5%feel their experience were sufficient and 20% adequate. A mere 5% indicated limited experience. The two groups equally indicated extensive experience in drafting parenting plans.	The professionals reported to have sufficient experience with regards to drafting parenting plans in practice with 66%. Both professional groups indicated to have limited extensive experience

The above indicates an area of possible lack of knowledge in practice with regards to divorcing families and parenting plans. The Children's Act 38 of 2005 was introduced almost thirteen years ago and yet the professionals report that their extensive experience with regards to divorce matters were 50%, while their experience in parenting plans were

40%. The combined extensive experience of professionals drafting parenting plans reached 33%.

10.6.2.4   Factors influencing the success/failure of parenting plans

Table 10.8: Factors influencing the implementation of parenting plans

Question	Key findings	Conclusions
Factors influencing parenting plans	From the factors that the respondents had to indicate with a yes or no, the following can be reported: ● 100% mention that parents should be adaptable. ● 94.9% belief a co-parenting style can be positive. ● 68.4% indicated that the same routine in both households were necessary. ● 98.7% reported that communication was of essence. ● 81.3% mentions parents' fighting have an influence.	It is evident that the adaptability of parents, a co-parenting style, effective communication and less fighting are all protective factors for children during divorce. The same routine in both households seems to be not as important as the rest.

It is evident that both parents play a key role in the success of families' functioning after divorce and that they predict the protective factors for children. This correlates with the Family Systems Theory that individuals holistically affect the entire system and professionals should understand the family functioning and how the members relate to each other.

10.6.2.5   Individuals attending sessions

Table 10.9: Individuals attending the session

Question	Key findings	Conclusions
Both parents attended the session	90% reported that both parents were included in the process of drafting a parenting plan.	The professionals agreed that it is important that both parents attend the

Include the child in the sessions	The inclusion of children during the session seems to be a divided matter, with the minority of the health care professionals stating that inclusion is important and almost 60% of the law professionals believe not to include children.	sessions when drafting parenting plans. Some professionals still do not include children in the process of drafting a parenting plan.

In practice there is still uncertainty whether children should be included in the process of drafting parenting plans, despite the literature being evident that all individuals need to be actively involved in the process.

10.6.2.6   Using a template or standardized questionnaire during the drafting session

Table 10.10: Use of a template or standardised questionnaire

Question	Key findings	Conclusions
Do you make use of a template or standard questionnaire during the drafting of a parenting plan?	The use of a template is also a dividing matter, as half of the professionals make use of a questionnaire or template, while the remaining half does not.	The use of a template or questionnaire is not a clear matter and remains to be an individual decision.

It became clear that there is a difference in following guidelines for drafting a parenting plan versus just completing a standardised template.

10.6.2.7   Education to parents

Table 10.11: Education to parents

Question	Key findings	Conclusions
Did you educate the parents about parenting plans during the session	Education with regards to parenting plans and the use in practice seems to be a standard procedure during intervention with families.	Education should be done during the intervention process of parents for the draft of parenting plans.

Education is a very important part of the process when professionals work with families that needs to redirect their lives after divorce.

10.6.2.8 Financial agreements and contracting

Table 10.12: Financial agreements and contracting

Question	Key findings	Conclusions
Do you give the parents a quote or contract?	More than 80% of the respondents indicated that they made contractual agreements with parents during the draft of a parenting plan.	Professionals in practice make use of a contract when drafting a parenting plan. The contract includes agreement to draft a plan, financial responsibilities, time frames and the process.

The first session of the process is often used for administrative tasks, informing the parents about the legal aspects of a parenting plan, clearing all financial obligations, reminding parents of their rights/responsibilities and the process that will unfold during the draft of parenting plans.

10.6.2.9 Drafting a parenting plan should be a specialised field

Table 10.13: Specialized field

Question	Key findings	Conclusions
Should the draft of a parenting plan be a specialised field?	Most respondents indicated that the writing of parenting plans should be a specialised field of practice.	The drafting of parenting plans should be a specialised field of practice in South Africa.

It is evident that most professionals recommend that the writing of parenting plans should be a specialised field in practice. In comparing this statement with feedback from the participants (parents) who were interviewed, specialised intervention and assistance regarding parenting plans is prioritised.

10.6.3　Quantitative data from professionals

10.6.3.1　Topics in a parenting plan that result in the most conflict between parents

Respondents made additional comments or suggestions that the implementation of parenting plans in practice result in conflict between parents and discrepancies for professionals. The table below will give an indication of the professionals' opinion of topics that result in conflict between parents.

Table 10.14:　Topics that result in conflict between parents

Question	Key findings	Conclusions
Topics that result in conflict between parents in the process of drafting a parenting plan.	The respondents identified numerous topics and it was narrowed down to the top five: ● Maintenance – money can be a contentious issue between adults and too often separated parents cannot agree on this matter. ● Finance – respondents indicated that professionals lack the ability or tools to work around the finances during the parenting plan. ● Contact – contact or the contact restrictions results in excessive amounts of conflict, because parents cannot establish reasonable contact with the children and/or significant others. ● New partners – adults in the aftermath of divorce always think their children should be protected against the influence of other adults. Usually the new partner is labelled as a	Conflict around maintenance and finance is an adult matter and children should not be involved or affected because parents cannot agree. Children need both their parents actively involved in their life after divorce. Relationships with extended family is a valuable attribute for the well-being of children and this should be granted in a reasonable way. Parents should not be hasty in forming new relationships, take time to adjust to your new circumstances and handle all your own emotional turmoil. If adults take time to adjust after divorce they will be more open to new

	negative influence due to adult issues.	adults in their children's lives or their children being loved by someone else.
	• Communication – although the key principle of co-parenting after divorce, parents battle to communicate effectively with each other around the needs of their children.	

When two adults decide to separate or divorce there will always be conflict involved; parents must just decide how their adult issues will inflict or influence the well-being of their children. With an Ecological Systems Theory perspective, ongoing parental conflict, the child's dream of their parents being reconciled and the loyalty within children toward both parents, cause imbalances in the overall system – which affects all other systems.

10.6.3.2   The process of drafting a parenting plan

From the 81(N=81) respondents 90% completed this question and only 9.8% did not. The researcher did a cross-tabulation between the experiences of the professionals with this question in relation to the process they follow. The table below will indicate the findings:

Table 10.15: The process of drafting a parenting plan

Question	Key findings	Conclusions
The process followed during the draft of a parenting plan.	Almost all respondents with extensive experience in working with parenting plans included both parents in their process. From the same group, experience in working with parenting plans, only half included children in the drafting process. The majority respondents who indicated that they have extensive experience in drafting	The reality, as shown in practice, remains that individual professionals follow their own process for the drafting of parenting plans, whether it originates from training by an accredited service provider, provided by their organization or adapted after years of practicing. The researcher concluded that all

	parenting plans included both parents. Only half of these respondents included the children in the process. The above statistics and responses from the professionals is evident that there is no conformity in the process of drafting parenting plans in practice. It was noted that every individual follows their own process, whether it is the FCM model or using a standard template as indicate by the Children's Act 38 of 2005. Some of the respondents indicated that they use their years of experience as part of the process and indications was given that for some professionals a parenting plan is an extension of the divorce settlement, and forms part of that process.	professionals need to be well trained with regards to the legal instruments of a parenting plan and parenting plans should be child-centred.

Based on the findings above there is no agreement on whether both parents and children should be included in the drafting process of parenting plans. The process that professionals follow remains a topic for further research due to the contradicting responses from both parents and professionals.

10.7   RECOMMENDATIONS

Based on the key findings and the conclusions, the following recommendations can be made from the qualitative and quantitative approaches used in this study. Each phase will be discussed separately.

10.7.1 Recommendations from the qualitative research phase

The following recommendations are made regarding the divorcing and divorced parents and their children:

- Parents need to know that they have a huge responsibility towards the families' well-being after divorce, as their attitudes impact the children and the implementation of their parenting plan.
- Parents know what is best for their children and they should communicate their ideas in an adult manner, without involving the children.
- Both biological parents should be involved in the child's life, but not to continue the fighting but rather to support and respect each other as co-parents – in a sense to give the best of both worlds to their children.
- Parents need not overcompensate because they feel guilty about the divorce as children will survive and can be well-adjusted if not raised in their home of origin.
- Divorce is a reality and a traumatic challenge, but parents should make conscious decisions to promote their family's well-being over continuous fights and their own selfish needs.
- Parents who trust professionals during the drafting of a parenting plan are more open and honest in the planning of their children's future. This aspect is crucial in drafting parenting plans.
- Parents should value the importance of a parenting plan after divorce as it provides structure, eliminates conflict and protects all members included.

Recommendations to professionals working with divorcing families and drafting parenting plans are:

- Access to professionals who write parenting plans is easy, but the process that professionals use is still not standardised, and the quality of these plans is still debatable. The researcher recommends that professionals use standardised procedures.
- Parenting plans are still not user-friendly, and the inclusion of the unique family qualities seems to be a problem. This needs to be addressed.

- Parenting plans should be child centred, therefore children should be included in the sessions.
- Professionals working with families' post-divorce should evaluate the family and the interaction of all its members should be acknowledged. The Family Systems Theory underlines the principle that the family's needs are equally important to the needs of the individual members.
- Parenting plans should be an essential part of the intervention process with divorcing or separating families, as the knowledge parents acquire foster strong child-parent relationships and direct parents' obligation towards their children.
- Counselling seems to be a valuable factor for the well-being of the divorcing families and professionals must refer individuals if needed.
- Education is a principle in the process of parenting plans that more professionals should implement.
- Parenting plans should be inclusive of the family dynamics and if needed professionals should include extended family members.
- The way professionals draft parenting plans needs attention. Families are unique and want to be treated as such.
- Professionals should not rush the sessions and process with families who are in the process or divorce, as a rushed process creates anxiety.
- Professionals must not regard parenting plans as just another obligation and a paper exercise.
- There are a few well-developed processes used in practice, and professionals may consider using these developed processes for standardisation.

10.7.2 Recommendations from the quantitative research phase

From the findings of the quantitative research, the following recommendations are made to professionals working with divorcing parents and drafting parenting plans:
- Professionals working with divorced or separated families and write parenting plans in practice should be trained thoroughly, preferably by an accredited service provider in parenting plans.

- Professionals working with parenting plans in practice must have extensive experience in the process of drafting parenting plans and mediation with high conflict families.
- Parenting plans as a specialty field needs a wider range of literature, documentation and clearly drafted processes as part of the intervention.
- Professionals must refrain from using a template or standard questionnaire as only tool when drafting a parenting plan.
- Professionals must focus more on the uniqueness of every family and evaluate the family dynamics during the intervention process.
- Professionals need more than guidelines for the drafting of parenting plans, for the sake of conformity in practice.
- Education is a very important part of the process when professionals work with families that needs to redirect their lives after divorce.
- Professionals in practice should start off with a contract, in which all practical, administrative, financial, timeframe and explaining of the process appears.

- Parents should realize that protective factors such as parents' adaptability, co-parenting, effective communication and less fighting can minimise the trauma of parental divorce.
- Children need both parents involved in their lives and working together as a team and both parents should attend the sessions during the drafting of a parenting plan.
- Children (if their age and maturity allow it) should be included in the drafting of parenting plans.
- Parents will always disagree around maintenance, finance, contact and new partners and parents should remember that these are adult matters and children should not be included in these fights.
- Relationships with extended family is a valuable attribute for the well-being of children and this should be granted in a reasonable way.
- Parents should not be hasty in forming new relationships, but should take time to adjust to their new circumstances and manage all their own emotional turmoil.

10.7.3 Recommendations for future research

For future research the following topics can be considered:
- The development of a standardised process for all professionals drafting parenting plans in practice.
- Exploring the reasons behind making the decision not to include children in the process of drafting a parenting plan.
- Research should target a more holistically and multidisciplinary team's role in the drafting of parenting plans in South Africa.
- The evaluation of effective counselling in the mediation process and pre-drafting phase of parenting plans.
- The evaluation of the effectiveness of education programs in parenting plans in South Africa.
- Similar studies should be conducted with more racial groups.

10.7.4 Recommendations for policy

- Development and implementation of an all-inclusive process for the drafting of parenting plans.
- Recognition of writing parenting plans as a specialty by the SACSSP.
- The possibility of a Master's Degree in Legislative/Parenting Plans.
- The Children's Act 38 of 2005 should be revised to incorporate minimum qualifications for the professionals drafting parenting plans.

10.8   LIMITATIONS AND STRENGTHS OF THE STUDY

Limitations

Several limitations were identified during this study:
- The researcher found it extremely difficult to obtain enough professionals for the quantitative phase of the study in only Gauteng. Therefore, the researcher was obliged to change the sampling method from the purposive to the accidental

sampling method. The researcher made use of different associations and after obtaining the personal detail, the professionals were emailed and requested to participate in the study.

- The individual interviews with parents during the first phase (qualitative study) were time consuming and costly, due to travelling.

Strengths

The following strengths were identified:

- The willingness of the parents to participate in the study and to share their personal experience was overwhelming.
- Despite the challenges with professionals from the Gauteng Province, feedback from the professionals from Western Cape, Free State and the Northwest Province were prompt and thorough.
- The mixed-method research approach has provided an enriching experience.
- The complete process of the research was effective, and the findings much more than the researcher anticipated.
- The use of the Statistical Department of the North West University reinforced the trustworthiness of the study.

10.9 CONCLUDING REMARKS

This research study illuminated numerous aspects that influence the implementation of parenting plans from both parents' and professionals' views and substantiated by triangulating qualitative and quantitative research data. Parenting plans are a necessity during the divorce process and parents should approach this process with open minds and positive attitudes. Divorcing or separated families should be reminded that divorce will always be a traumatic experience, but all individuals can adapt and implement the protective factors as identified in this study.

Professionals working with divorce matters and the drafting of parenting plans should be capacitated in the process of drafting these plans and the inclusion of children. Children

benefit with both parents and extended family members in their daily lives. Parents and professionals should work together in strengthening the process of drafting parenting plans in practice.

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LIST OF APPENDICES

Appendix A: Ethical clearance from the University of Pretoria

UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Humanities
Research Ethics Committee

27 August 2017

Dear Ms van Jaarsveld

Project:	Factors influencing the implementation of parenting plans in South Africa
Researcher:	AW van Jaarsveld
Supervisor:	Prof CE Prinsloo
Department:	Social Work and Criminology
Reference Number:	24339360 (GW0170109HS)

Thank you for the response to the Committee's letter of 30 January 2017.

I have pleasure in informing you that the Research Ethics Committee formally **approved** the above all three phases of the study at an *ad hoc* meeting held on 27 August 2017. Data collection may therefore commence.

Please note that this approval is based on the assumption that the research will be carried out along the lines laid out in the proposal. Should the actual research depart significantly from the proposed research, it will be necessary to apply for a new research approval and ethical clearance.

We wish you success with the project.

Sincerely

Prof Maxi Schoeman
Deputy Dean: Postgraduate Studies and Ethics
Faculty of Humanities
UNIVERSITY OF PRETORIA
e-mail:tracey.andrew@up.ac.za

cc: Prof CE Prinsloo (Supervisor)
Prof A Lombard (HoD)

Research Ethics Committee Members: Prof MME Schoeman (Deputy Dean); Prof KL Harris; Dr L Blokland; Dr R Fasselt; Ms KT Govinder; Dr E Johnson; Dr C Panebianco; Dr C Puttergill; Dr D Reyburn; Prof GM Spies; Prof E Taljard; Ms B Tsebe; Dr E van der Klashorst; Mr V Sithole

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Appendix B: Permission from Family Advocate

the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE FAMILY ADVOCATE: JOHANNESBURG

Private Bag X7, Johannesburg, 2000. 13th Floor, Schreiner Chambers, 94
Pritchard Street, Johannesburg
Tel (011) 333 3724, Fax (011) 337 8189

E-mail: DNameng@justice.gov.za

Re: Ms Wilma van Jaarsveld
Ref: Student no: 24339360

TO WHOM IT MAY CONCERN

This serves to confirm that the abovementioned student has been granted
permission to do the empirical part of her research at the Office of the
Family Advocate, Johannesburg.

Should there be any queries, please do not hesitate to contact the writer at
the above numbers.

Trust the above is in order

Adv. DM Nameng
Senior Family Advocate, Johannesburg

THE DEPARTMENT OF JUSTICE
& CONSTITUTIONAL DEVELOPMENT.
OFFICE OF THE FAMILY ADVOCATE

2017 -08- 2 8

P/BAG X 14, JOHANNESBURG, 2000
TEL: 011 333 3724 FAX: 011 337 8189

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Appendix C: Permission from SAVF

SAVF
MAATSKAPLIKE WERK
SAVF
SOCIAL WORK
CARLETONVILLE

7 Uralite Street, CARLETONVILLE
Uralite Straat 7, CARLETONVILLE

292 CARLETONVILLE, 2499
018 786 1016/8
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savfcville@mweb.co.za
www.savf.co.za

001-532NPO

23 Augustus 2017

Wie dit mag aangaan

INSAKE: GOEDKEURING VIR DEELNAME VAN SAVF CARLETONVILLE

Me Wilma van Jaarsveld het die SAVF Carletonville genader met die versoek dat die Maatskaplike Werkers 'n vraelys voltooi rondom ouerskapsplanne en egskeidings.

Hiermee verskaf ons met graagte die nodige toestemming dat me Wilma van Jaarsveld die hulp en samewerking het vanaf die Maatskaplike Werkers van SAVF Carletonville. In totaal is dit dan sewe Maatskaplike Werkers wat sal deelneem.

Hoop u vind die bogenoemde in orde.

Sterkte met al u werksaamhede.

Groete

Suzette Oosthuizen
Streeksbestuurder: Gauteng

Appendix D: Interview schedule – parents

INTERVIEW SCHEDULE: PARENTING PLANS IN SA

SECTION A: BIOGRAPHICAL DETAILS

Biographical Profile of participants

Age	
Gender	
Home Language	
Level of Education	
Employment status	Full Time/part-time/unemployed
Type of employment	
Relationship status	Single/Married/Divorced/Widowed/Living with partner
Source of income	Salary/pension/social grant/other

FAMILY COMPOSITION

Children: Home	Age (Yrs)	Biological Child	Gender	Age at time of Divorce/Seperation
1		Y/N	M/F	
2		Y/N	M/F	
3		Y/N	M/F	
4		Y/N	M/F	
5		Y/N	M/F	
6		Y/N	M/F	

SECTION B: INTERVIEW SCHEDULE

THEME 1: PERCEPTION OF A PARENTING PLAN

- What is in your opinion a Parenting Plan (definition)?
- Is it important to draft a Parenting Plan when you separate/divorce?

- What is your experience of your own Parenting Plan?
- Did the Parenting Plan increase your knowledge around the needs of your children during separation/divorce?
- Explain in your own words the process of drafting your Parenting Plan?
- Did you have any problems finding a professional who were capable of drafting your Parenting Plan? Please list challenges?

THEME 2: FACTORS INFLUENCING THE IMPLEMENTATION OF A PARENTING PLAN

- What are the factors that contribute to the successful implementation of a Parenting Plan? Please motivate this in the context of your own experience?
- What are the factors that lead to the failure of a Parenting Plan? Please motivate this in the context of your own experience?
- Have your initial Parenting Plan been changed? Explain in your own words the reason for this?
- Were all the family members involved in the process of drafting the Parenting Plan? Who attended the sessions?
- Do you as family feel that the Parenting Plan has been good for all family members? Motivate?
- Are all family members adhering to the Parenting Plan?

THEME 3: RECOMMENDATIONS – PARENTS

- What recommendations will you make to parents going through divorce about a Parenting Plan?

_____
_____
_____
_____
_____
_____
_____
_____

THEME 4: RECOMMENDATIONS – PROFESSIONALS

- What recommendations will you make to professionals about a Parenting Plan?

  _____
  _____
  _____
  _____
  _____
  _____
  _____
  _____
  _____
  _____

Appendix E: Questionnaire Professionals

Questionnaire for Professionals working with Parenting Plans
Wilma van Jaarsveld

Answer each question by circling the appropriate number in
the shaded box or by writing your opinion in the (shaded)
space provided.

For Office Use

Please complete all Items.

A Respondent's number

A0

1 Gender

Male	1
Female	2

A1

2 How old are you? _____years

A2

3 In what Province do you work? (mark a maximum of 2)

Northern Province	1
Mpumulanga	2
Gauteng	3
Northwest Province	4
Free State	5
Northern Cape	6
Western Cape	7
Eastern Cape	8
KwaZulu Natal	9

A3a
A3b

4 Profession you belong to?

Social Worker	1
Psychologist	2
Attorney	3
Advocate	4
Family Advocate	5
Other (specify) _____	6

A4

5 Highest Qualifications?   _____

A5

6 Training in terms of Parenting Plans?

Only University Degree for Profession	1
Intensive training by Accredited Service Provider	2
Short Course	3
Self Study	4
Other (specify) _____	5
None	6

A6

7 What is your own experience with the following?
Please use one of the following codes:

   1 = Very Limited
   2 = Limited
   3 = Adequate
   4 = Sufficient
   5 = Extensive

7.1 Your experience in working with divorce matters in practice?

1	2	3	4	5

A7.1 [   ]

7.2 Your experience in working with parenting plans in practice?

1	2	3	4	5

A7.2 [   ]

7.3 Your experience in drafting parenting plans?

1	2	3	4	5

A7.3 [   ]

8 What would factors influence the success/failure of a parenting plan?
Please use one of the following codes:

   Yes = 1
   No = 2

8.1 Parents should be adaptable.

1	2

A8.1 [   ]

8.2 a Co-parenting style

1	2

A8.2 [   ]

8.3 Same routine in both households

1	2

A8.3 [   ]

8.4 Communication

1	2

A8.4 [   ]

8.5 Parents Fighting

1	2

A8.5 [   ]

9 Did both parents attend the sessions?

Yes	1
No	2
If no, specify	

A9 [   ]

10 Do you include the child/children in the sessions?

Yes	1
No	2
If no, why not?	

A10 [   ]

11 Do you make use of a templet/standard questionair for the parents?

Yes	1
No	2
If no, specify	

A11 [   ]

12 Do you take time to educate the parents about a parenting plan?

Yes	1
No	2

A12 [   ]

351

13 Do you give the parents a quote/contract beforehand?

Yes	1
No	2

A13

14 Do you think that the writing of parenting plans should become a specialized field?

Yes	1
No	2

A14

15 What topics in a parenting plan result in the most conflict between parents?

A15

_____ _____ _____
_____
_____
_____
_____
_____

16 Give a brief discription of the process you follow when drafting a parenting plan?

A16

_____
_____
_____
_____
_____
_____ _____

Thank you for your coopertion.

Appendix F: Informed consent – Parents

Faculty of Humanities

Department of Social Work & Criminology

8/08/2016

INFORMED CONSENT PARENTS

1.   NAME OF RESEARCHER
Wilma (AW) van Jaarsveld
Tel: 083 5252 685

2.   RESEARCH TITLE
Factors influencing the implementation of Parenting Plans in South Africa.

3.   PURPOSE OF THE RESEARCH STUDY
The purpose of this research is to explore the views/experience of parents of the implementation of Parenting Plans in South Africa post-divorce/separation.

4.   DESCRIPTION OF PROJECT
The aim of the research is to explore divorced parents' experiences of factors that influenced the implementation of their parenting plans. The researcher will conduct one-to-one interviews, guided by a semi-structured interview schedule, with selected participants during the qualitative research. During the interviews, the researcher will explore the participants' views on parenting plans post-divorce/separation. An interview will take between 45 minutes to an hour. Every interview will be recorded with a digital recorder for the researcher to be able to transcribe the content and analyse the research data. Participants are guaranteed of confidentiality and their responses will be anonymous in the final research report.

5.   NUMBER OF PARTICIPANTS
Twenty (20) participants will be selected to be interviewed.

6.   RISKS INVOLVED IN THE RESEARCH STUDY
The participants will not be subjected to any harm and the researcher will make effort to conduct this research in a manner that will minimise possible harm, however, should the researcher perceive any participants to be negatively affected by the research a debriefing session would be conducted.

7.   BENEFITS OF THE RESEARCH STUDY
There are no economic benefits for participating in this research project. However, the long-term benefits are that by talking about their views in the use of a parenting plan post-divorce/separation it will be contributing towards the recommendations the research findings will propose and as a result, strategies may be developed to address them.

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Fax +27 (0)12 420 2093
Email Antoinette.lombard@up.ac.za

Fakulteit Geesteswetenskappe
Lefapha la Bomotho

Page 1 of 1

8. VOLUNTARY PARTICIPATION

Although the researcher seeks my permission to be part of the research, it does not obligate me to do so. My participation is voluntary. I will be free to withdraw my participation at any point, and will experience no negative consequences.

9. RECORDS OF PARTICIPATION IN THIS RESEARCH

The information provided will be protected and my responses will be kept confidential. Recordings and transcripts will be stored in a locked cabinet. The only individuals who will have access to this information will be those directly involved with this research project that have been trained in methods to protect confidentiality. The research information will be safely stored at the Department of Social Work and Criminology, University of Pretoria for a period of fifteen years. The results of this research may appear in publications but participants will not be identified.

10. CONTACT PERSONS

If I want more information about this research, I may contact the researcher as indicated at the beginning of this document.

11. AGREEMENT TO PARTICIPATE IN THE RESEARCH STUDY

My signature indicates that I have read, or listened to, the information provided above and that I received answers to my questions. I have freely decided to participate in this research and I know I have not given up any of my legal rights.

I hereby freely give my permission to participate in this research project.

This document was signed at _____ on the _____ day

of _____ 2016.

NAME: ....

SIGNATURE: ....

SIGNATURE OF RESEARCHER: ....

Wilma van Jaarsveld

Appendix G: Informed consent – Professionals

Faculty of Humanities

Department of Social Work & Criminology

8/08/2016

INFORMED CONSENT

1.   NAME OF RESEARCHER
Wilma (AW) van Jaarsveld
Tel: 083 5252 685

2.   RESEARCH TITLE
Factors influencing the implementation of Parenting Plans in South Africa.

3.   PURPOSE OF THE RESEARCH STUDY
The purpose of this research is to explore the views of professionals on the implementation of Parenting Plans in South Africa post-divorce/separation.

4.   DESCRIPTION OF PROJECT
The aim of the research is to explore the views and understanding of professionals during their intervention process with divorces/separated families when drafting a parenting plan. The factors, according to professionals, influencing the parenting plan in the South African context will also be explores.

During the quantitative research the researcher will make use of a survey amongst professionals. The professionals will complete an electronic questionnaire consisting of 20 to 25 questions that would take between 15 to 20 minutes to complete. The quantitative data will be coded using edge coding, by far the easiest way of hand-code of verbatim responses. Once the researcher has organized the data text gathered through the questionnaire, edge coding will take place. Segmenting sentences, categories, topics and descriptive wording will be coded.

5.   NUMBER OF PARTICIPANTS
Hundred (100) professionals will take part in the questionnaire during the research project.

6.   RISKS INVOLVED IN THE RESEARCH STUDY
The participants will not be subjected to any harm and the researcher will make every effort to conduct this research in a manner that will minimize possible harm, however, should the researcher perceive any participants to be negatively affected by the research a debriefing session would be conducted.

7.   BENEFITS OF THE RESEARCH STUDY
There are no economic benefits for participating in this research project. However, the long-term benefits are that by talking about their views in the use of a parenting plan post-divorce/separation it will be contributing towards the recommendations the research findings will propose and as a result, strategies may be developed to address them.

The insight of professionals with regard to parenting plans will be added to the findings of the interviews, which will give a holistic approach of the factors influencing the implementation of parenting plans after divorce or separation.

8.   VOLUNTARY PARTICIPATION

Although the researcher seeks my permission to be part of the research, it does not obligate me to do so. My participation is voluntary. I will be free to withdraw my participation at any point, and will experience no negative consequences.

9.   RECORDS OF PARTICIPATION IN THIS RESEARCH

The information provided will be protected and my responses will be kept confidential. Recordings and transcripts will be stored in a locked cabinet. The only individuals who will have access to this information will be those directly involved with this research project that have been trained in methods to protect confidentiality. The research information will be safely stored at the Department of Social Work and Criminology, University of Pretoria for a period of fifteen years. The results of this research may appear in publications but participants will not be identified.

10.   CONTACT PERSONS

If I want more information about this research, I may contact the researcher as indicated at the beginning of this document.

11.   AGREEMENT TO PARTICIPATE IN THE RESEARCH STUDY

My signature indicates that I have read, or listened to, the information provided above and that I received answers to my questions. I have freely decided to participate in this research and I know I have not given up any of my legal rights.

I hereby freely give my permission to participate in this research project.

This document was signed at _____ on the _____ day of _____ 2016.

NAME: ....

SIGNATURE: ....

SIGNATURE OF RESEARCHER: ....

Wilma van Jaarsveld

Appendix H: Confirmation from Language editor

3 Sabie Street
CARLETONVILLE
2499
25 April 2018

TO WHOM IT MAY CONCERN

This is to certify that I, Paulette Henrey, English Subject Specialist (Senior Diploma in Education) have edited the thesis 'Factors influencing the implementation plans in South Africa' of Wilma van Jaarsveld.

Yours faithfully
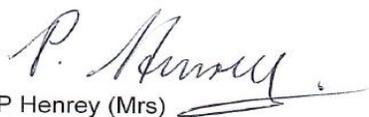
P Henrey (Mrs)

Appendix I: Confirmation from Language editor

28/04/2018

6 Mazoli
129 High Level Rd
Green Point
Cape Town
8051

To whomever it may concern.

This letter hereby certifies that the document 'FACTORS INFLUENCING THE IMPLEMENTATION OF PARENTING PLANS IN SOUTH AFRICA' by Anna Wilhelmina van Jaarsveld has been proofread and edited by myself, Elizabeth Margaretha Rossouw on this the day of the 28th of April 2018. No content has been removed/edited/changed in any way, other than to remove errors in spelling and/or grammar.

Regards,

Elizabeth M. Rossouw
064 652 2750
Community and Marketing Manager
Caviar.io

Signed: **Elizabeth Margaretha Rossouw**   Date: 28/04/2018

Appendix J: Confirmation of Independent coder

NWU ®

Privaat sak X6001, Potchefstroom
Suid-Afrika 2520

Tel: 018 299-1111/2222
Web: http://www.nwu.ac.za

Statistical Consultation Services
Tel: +27 18 299 2558
Fax: +27 0 87 231 8294
Email: shawn.liebenberg@nwu.ac.za

03 May 2018

Re: Dissertation, Ms AW van Jaarsveld, ID number: 7304170047087

We hereby confirm that the Statistical Consultation Services of the North-West University analysed the data involved in the study of the above-mentioned student and assisted with the interpretation of the results. However, any opinion, findings or recommendations contained in this document are those of the author, and the Statistical Consultation Services of the NWU (Potchefstroom Campus) do not accept responsibility for the statistical correctness of the data reported.

Kind regards

Mr SC Liebenberg (M.Sc.)

Statistical Consultation Services

1

APPENDIX K: PARENTING PLAN

(Example of a Parenting Plan adapted from The Children's Act 38 0f 2005)
FORM 7
PARENTING PLAN
(Regulation 11(2)(b), 14(3))
[SECTION 33 OF THE CHILDREN'S ACT 38 OF 2005]
Part A: Particulars of holders of parental responsibilities and rights
Holder 1

Surname	
Full Name	
ID no/Date of birth/Passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email Address	
Work Address	
Work Telephone no	
Relationship to child/children	

Holder 2

Surname	
Full Name	
ID no/Date of birth/Passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email Address	
Work Address	
Work Telephone no	
Relationship to child/children	

Holder 3 (If applicable)

Surname	
Full Name	
ID no/Date of birth/Passport no	
Residential Address	
Home telephone no	
Cell phone no	
Email Address	
Work Address	
Work Telephone no	
Relationship to child/children	

Details of further co-holders of parental responsibilities and rights in respect of whom this parenting plan applies must be furnished on a separate page and attached to this **Form** as an annexure.

Part B: Details of child or children in respect of whom the parenting plan has been agreed

First Child

Surname	
First names	
ID No/date of birth/passport no	
Residential address	
Contact no	

Second Child

Surname	
First names	
ID No/date of birth/passport no	
Residential address	
Contact no	

Third Child

Surname	
First names	
ID No/date of birth/passport no	
Residential address	
Contact no	

Details of additional children in respect of whom this parenting plan applies must be furnished on a separate page and attached to this **Form** as an annexure.

Part C: Information regarding guardianship, care and contact with respect to the child or children

C.1 Guardianship

Child's Name	Guardian	Guardian

C.2 Care
C2.1. Provide details concerning where the child or children will reside, and for which specified periods, and who will provide care for the child

_____
_____
_____

[Additional details to be furnished on a separate page]

C2.2. Provide details concerning responsibilities for the maintenance of the child or children

_____
_____
_____

[Additional details to be furnished on a separate page]

C.3 Contact
C3.1 Provide details concerning parental responsibilities and rights in respect of contact with the child or children

_____
_____
_____

C3.2 Provide details concerning contact on any special days, public holidays or during holiday periods (birthdays, Mother's Day, Father's Day, Christmas, Eid and so forth)

_____
_____
_____

C3.3 Provide details as to the travel costs enabling contact with the child or children occur

_____
_____
_____

Part D: Particulars as to how decisions in respect of a child or children's life are to be exercised by bearers of parental responsibilities and rights, how disputes are to be resolved and how the costs of dispute resolution will be met

D.1 Give details as to how major decisions concerning the child or children will be made

_____
_____
_____

D.2 Provide details concerning the exercise of parental responsibilities and rights in respect of the child's or children's education, health and participation in cultural or religious activities

_____
_____
_____

[Additional details to be furnished on a separate page]

D.3 Give details about the manner in which effect will be given to the obligation to consult with the child or children concerning the exercise of parental rights and responsibilities

_____
_____
_____

D.4.1 Give details as to how any disputes concerning the child or children between the parties to the parenting plan are to be resolved, with regard to mediation and reconciliation

_____
_____

D.4.2 Give details as to how any costs for resolving disputes are to be met

_____
_____
_____

Part E: Additional information concerning the exercise of parental responsibilities and rights

Please complete the necessary details provided below in respect of:
- Contact with other family members or the extended family
- Care of the child or children by persons other than the holders or parental responsibilities
- Guidance of the child's or children's behaviour in a manner consistent with the objects of the Act
- Accommodation of special needs of the child or children
- Obligation to notify the Family Advocate or Court of change of address or other contact details of the holder of parental responsibilities.
- Obligation to notify the Family Advocate or Court of change of address or other details of the child or children.
- Procedure to be followed if there is a material change in circumstances
- Any other matter

_____
_____
_____

Part F: Views of the child
Has information about the content of this parenting plan been furnished to the child or children, bearing in mind the child or children's age, maturity and stage of development?

_____
_____
_____

Has the child or have the children been given an opportunity to express their views, and have these views been taken into consideration?

_____
_____

Date

_____

Signature of Holder of parental responsibilities and rights

_____

Signature of Holder of parental responsibilities and rights

_____

Signature of Family Advocate
                  (WHERE APPLICABLE)

APPENDIX L: RESPONSE TO QUESTIONS POSED BY EXTERNAL EXAMINER

1. Did the Parenting Plan make a difference in any of the situations that the researcher explores? If so, in what ways?

The reality of parenting plans and their success/failure in practice is a concept that can be clarified by the following themes identified from the feedback of respondents. The raw data from table 7.7, as identified by the examiner, was divided into different themes and statements were added. The following **themes** were identified in the **success** (positive) of a parenting plan:

- Active involvement of both parents

A parenting plan guides parental involvement in a child's routine and programme.
"I realized that my child needed me actively involved in her life. Men forget that they are also important to their children. During the draft of our plan I was astonished that my child verbalized that she needed me just as much." – Participant 9

- Gives direction

A parenting plan is a guide for parents on the way forward. It gives a clear direction for the restructuring of the family.
"Our parenting plan definitely worker, when parents make the decision to divorce they are emotional and confused, our plan gave me direction." – Participant 25

- Promoted a co-parenting system.

A parenting plan made parents co-parent, without emotional conflict or fighting. Co-operative parenting and parenting plans mean that each child's right is to develop and maintain an independent relationship with both parents, to be guided, taught, supervised, disciplined and nurtured by each parent and to spend time with both parents on a regular basis. The fact that a parenting plan is in writing assists with co-parenting, being flexible, adaptable, compromise on both sides.

''Our parenting plan was successful, because we agreed on all the matters regarding our son. We worked as a team together.'' – Participant 15

- Conflict was minimised

One of the added values of a parenting plan is that it eliminates conflict between parents and then children are less confused. Parents should be able to accept each other and their new lives. Children should not be used as a weapon between parents and they should be protected against all adult issues. A well-written parenting plan lessens conflict between adults and safeguard children.

- Positive communication

Parenting plans foster positive and clear communication between parents; it makes the blaming game less as both parents know what is expected from them. When adults divorce, they often battle to communicate with ease and a parenting plan assists with matters concerning the children.

''We made a choice to keep to our parenting plan and only communicate on matters with regards to our children. Our plan assisted us in not fighting continuously.'' – Participant 3

- Fostered parental commitment

A parenting plan keeps both parents committed, as it is written. Both parents have insight in the parenting plan and commitment from both is very important.

''We made a choice to treat each other with respect, acknowledge that both parents are equally important to the children – overall to be flexible towards the needs of our children.'' – Participant 21

- Children were more secure with known routine

Rules and routine are set in a parenting plan and this adds to a sense of security for children. It basically gives routine for all involved. Children know where they are at certain times and it makes planning easier. Often fathers feel that they are not involved in their children's daily routine or activities; a parenting plan clearly indicates the child's daily programme and which parents are responsible for what activities. A parenting plan clears

the misconception of one parent not being aware of the child's routine or activities. When both parents and children are informed of the routine, access is more freely. A well drafted plan gives a sense of stability and security; children know where they will be at any given moment.

''We as parents had to think of all her needs and what was important for her.'' – Participant 25

One of the biggest assets of a parenting plan is that it gives consistency to all involved, due to every family member being on the same page.

''All of us knew what happened during the week and weekends, which made planning, communication and access easy.'' – Participant 7

''For me our plan works. My child is happy and stable, he knows when he sees his father and there is no pressure.'' – Participant 19

- Roles and responsibilities were clearly identified

Roles and responsibilities are clarified; parents do not fight about not knowing what they should do. When parents draft a parenting plan and they clarify their roles and responsibility, all becomes clear regarding the needs of the children.

"Our plan forces you to focus on the needs of your child. I think when adults decide to divorce they think, what do I as an individual can obtain from the other and if you create a parenting plan you focus primarily on the children." – Participant 5

The following **themes** were identified in the **failure** (negative) of a parenting plan:

- Roles and responsibilities were not clarified

The fact that a parenting plan is not specific and direct in each parent's roles/responsibilities, opens the way for more arguments and never-ending conflicts around the responsibilities. One of the participants indicated that their uncertainty around their roles made co-parenting even more difficult or impossible.

"Our plan forces you to focus on the needs of your child. I think when adults decide to divorce they think, what do I as an individual can obtain from the other and if you create a parenting plan you focus primarily on the children." – Participant 5

- Book of rules

It was indicated that the parenting plan was a book of rules and not following the rules by the book imposed to be a huge threat towards the family system.

"Our plan was a total failure, due to the father using the stated rules to punish me when I did not abide by it." – Participant 31

- Lack of communication

The fact that parents cannot agree in terms of the child's future causes emotional insecurity and a lack of frequent contact with the other parent. Conflict between parents around the child's needs influence the child's ability to adapt to the new family system. If the parenting plan is not clear on the way in which parents communicate or resolve issues, the child will suffer most.

"Our plan was a total fail, as we could not communicate with each other like adults. My ex-husband continuously referred back to what was stated in our plan. Our plan was cast in stone for him." – Participant 10

- Absent parent

A parenting plan cannot work if it is not used at all and a parent is not involved. A parenting plan on paper can look good but being implemented in practice is not always done by both parents.

"It does not work for us. The father was absent all the time and therefor the plan could not be implemented." – Participant 5

2. **Cultural factors that impinge on Parenting Plans? Are parenting plans used extensively across South African society, or are they restricted? How might the researcher have broadened its cultural lens?**

The researcher takes note of the concern for not being more inclusive, but the participants who were willing to participate in the research were those that were available on the database of different organizations and it ended up consisting of one racial group. Not all cultural groups are open for assistance from outside. In a study done by Haselau and Kasiram (2015:169) it was identified that due to different worldviews there are elements of western therapeutic approaches with couples that do not fit the values and beliefs of African people. These researchers acknowledge that Western marriage counselling approaches and theories, as used by social workers in South Africa, are not always relevant for all ethnic groups. In their study (Haselau & Kasiram, 2015:176) it is clarified that when there is conflict in the family, different cultures act differently and in the African society it is known that conflict will be resolved by relevant community members, like elders and family members.

Reference: Haselau, C. & Kasiram, M. African marriage counselling and the relevance of western models of counselling. *The Social Work Practitioner-Researcher,* 27(2):169-186.

3. **With the experience of the research behind you, and in the light of the comments in this report, what specific changes in the research plan, content or process, would you make if starting this journey anew?**

As researcher I would include a third group for my sample, being parents that did not have a parenting plan at all to explore the possible affect that this had on the restructuring of their family post-divorce. This could give a comprehensive indication of the difference a parenting plan make in practice. It could also assist with a clearer distinction between the positive and negative factors with regards to the implementation of parenting plans in South Africa.

Furthermore, I would include more parenting plan specific questions in my questionnaire, like what differences did the parenting plan make or in what sense was the parenting plan useful for you as family. As researcher I would focus more on the positive factors in the implementation of parenting plans in practice.

The experience of the professionals would also be more extensively questioned and analysed, especially with regards to the total of parenting plans that they have drafted or handled.

Wilma van Jaarsveld
20 July 2018