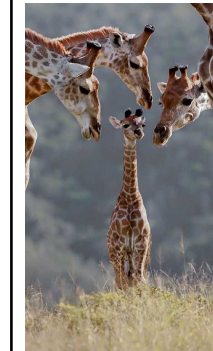


"My name's James, and I want to live with my dad"

The child's wishes:
Where do I find them?
How do I convey their content and context to the court, with appropriate respect and wisdom?

Dr Peter Krabman
Child, Adolescent & Family Psychiatrist
May 2016

Disclaimer



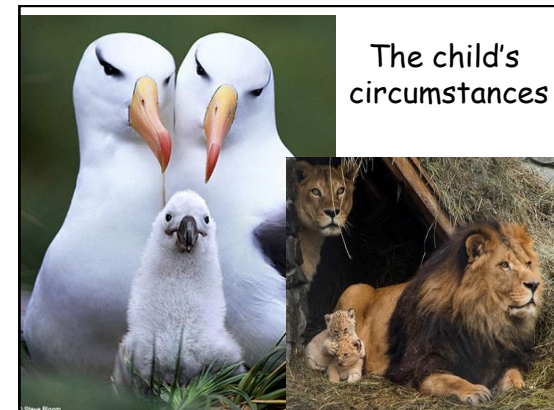
- Case examples in this presentation are truthful expressions of my experience conducting child and family interviews for the court, but...
- ... they have been de-identified, and merged, so as to respect the child, family and court process
- Please be prudent and respectful



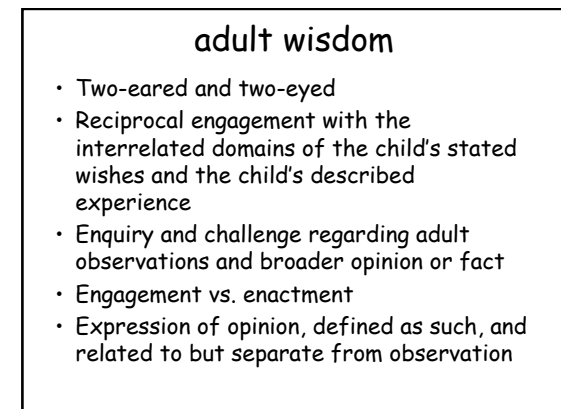
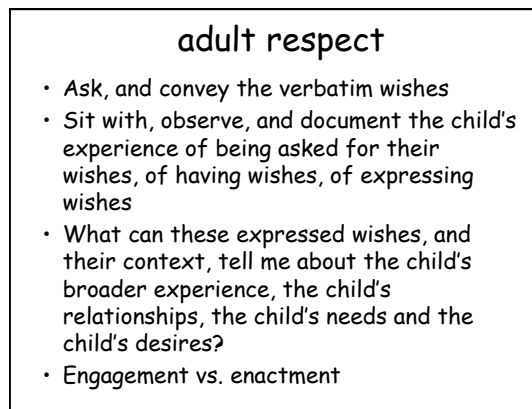
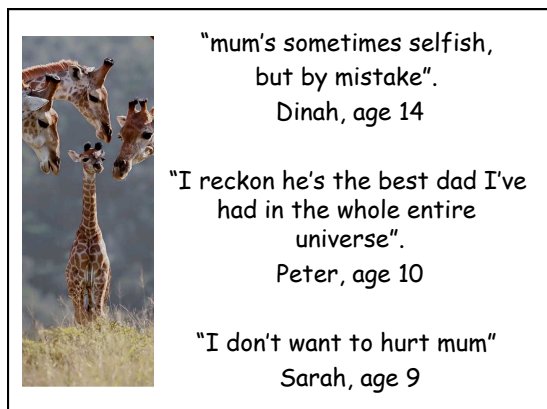
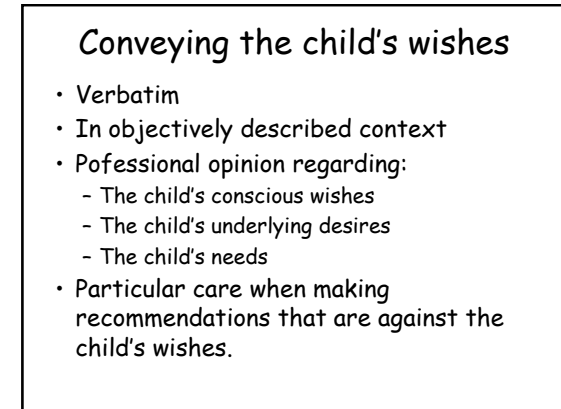
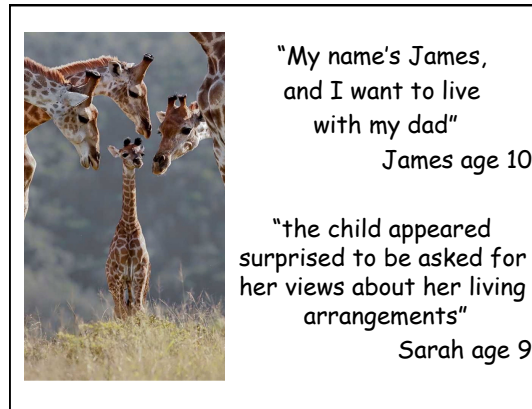
The child's wishes



The child's circumstances



The child's circumstances



The child's wishes

- Fragile
- Dangerous, strategic, protective
- Suppressed, or amplified
- Pragmatic, or idealised
- Ambivalent, or deeply held
- Very important for the face validity of the court process, now and on review by the parent, and by the vulnerable adult grown child, looking back

The child's stance, in expressing wishes

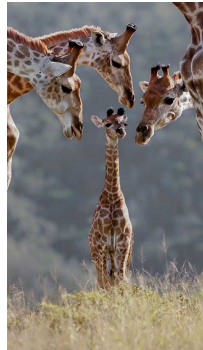
- other-focussed or self-focussed?
- Entitled? Self-discounting?
- Parentified?
- Ethical? (e.g. "fair", carer role)
- Pragmatic? (e.g. "then they'll fight less", "then dad will be less angry")
- Utilitarian? Based on what values?
- Own wants or own needs?

How do I position myself vis a vis the child?

- Beside, slight step behind
- Together, facing the challenge, of "my job"
- Must tell, but how?
- Assertively neutral, reflective
- Forced choice, then open/ enquiring, then pausing, then guessing or proposing
- Uncertain, enquiring, not-knowing, child as expert
- Balancing cognition and affect
- Wise, soft, gentle, lean in
- Protective where need be

The child's wishes in developmental context

- Chronological/ developmental/ societal age
- Developmental disparities
- Attachment styles
- Developmental trajectories
- Looking forwards to future reflection
- The nature of any parentified or utilitarian contributors

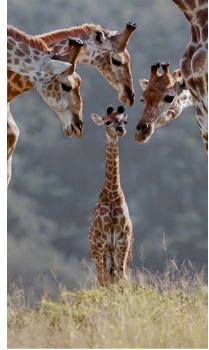


James (10years)
"I hate it when they say
dad's making me say it"

Lara (13 ½ years)
"It's NOT mum making
me or manipulating me or
whatever... it's what I
think"

Problematic adolescent individuation

- pragmatic
- cynical
- idealized narcissism
- antisocial narcissism



"At dad's,
I can be myself"

"me and mum
work together
well"

The child's wishes in relational context

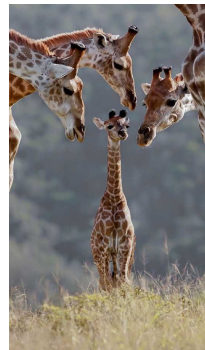
- With the current majority parent/ household, then alone, then with other parent/ household, then alone again
- Sometimes with other adults or household subsets also
- Sometimes again, to bring a view across contexts, or to challenge or test a view
- The nature of and narrative about differentiation, belonging, power, influence, and responsibility, within each household

The child's wishes in temporal context

- Now
- in the past
- in the future
- Revisited over time (with containment)

The child's wishes and the child's experience

- "Can you give me an example of..."/ "tell me about a time when..."/ "tell me a bit more about..."
- Links/ disconnections
- Synergies/ incongruities
- What is the nature of the experiences upon which these wishes have grown?
- Visiting and revisiting the wishes



"Does mum
have to know?"

"Is there a way
that we could
tell dad?"

Wishes about having wishes (1)

- Supported, constrained, or on their own?
- Will the child be seen alone? Who do they want present, or who wants to be present?
- "my family" picture: "like it was, like it is, or like you wish it might be?"
- Disposition about coming on day? Some "looking forward, opportunity to have my say...", some "leave me out of it..."

Wishes about having wishes (2)

- Explanation: what's it's been like for you, and your wishes
- Offer: which start with?
- Body disposition
- Degree of burden or vigilance
- Capacity to have a view
- Capacity to play with a view
- Desire to elaborate, or to "dump and run"

Wishes about having wishes (3)

- You don't have to decide about... [relevant adults] will decide about **, or if they can't, the judge will.
- [relevant adults] and judge are interested in what you think, how you feel about **, but you don't have to decide.
- Some "No, my life, I want to decide", some "I'm glad I don't have to decide... might get it wrong, might upset [relevant adults]"

The child's wishes, if...

- Fair, selfish, definitions of selfish
- Like it was, is, might be...
- If things got better, worse, the same...
- Contingencies in the prospective carers
- Contingencies in broader place, persons, things, resources, opportunities, containments...

What do you fear, if...?

- Like it was, is, might be...
- If things got better, worse, the same...
- Contingencies in place, persons, things, resources, opportunities



Questions?