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Best Interests Of The Child Principle In The Context Of Parent Separation Or Divorce : As Conceptualised By The Community

Nadia Dias
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Best Interests of the Child Principle in the Context of Parent Separation or Divorce:

As Conceptualised by the Community

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Edith Cowan University, Perth

Submitted in partial fulfilment of the requirements of the

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The Faculty of Community Services, Education and Social Sciences

USE OF THESIS

The Use of Thesis statement is not included in this version of the thesis.

Abstract

Best interests of the child (BIC) is a construct that is central to legal decisions in several areas including parenting matters in the Family Courts, guardianship, child-protection, and adoption. Despite the centrality of the construct, BIC has not been operationalised (Thomson & Molloy, 2001) and there is little agreement about what is considered best for children within social service and legal communities (Banach, 1998). Given that one of the aims of law is to reflect public sentiment (Green, 1996), the current study explored the general public's conceptualisation of BIC. More specifically, I sought to determine what community members think the term "best interests" means and what factors they believe need to be considered when determining BIC? A qualitative approach was used and data were collected through semi-structured interviews.

Participants (n= 19) defined BIC as parents effectively meeting the developmental needs of children to produce healthy young adults, both physiologically and psychologically. A complex hierarchical model was generated from participant responses that outlined the primary developmental needs of children and sets of conditions and parenting practices that elicit these. Despite the indeterminate nature and vagueness of the BIC standard, the findings from the current study suggest that current legislative practices do reflect public sentiment. Results of this research represented an important step towards a more comprehensive understanding of the BIC concept and endorse existing practices of forensic evaluators. Moreover, embedding gathered information in the context of child development and parenting literature appears essential to the utility of forensic psychological assessments. Finally, the model generated highlights the complexity of BIC and the need for practitioners to be aware of interactions that exist between child development and contexts of the home, community, culture and society.

Declaration

To the best of my knowledge and belief, I certify that

- This thesis does not incorporate without acknowledgement any material previously submitted for a degree or diploma in any institution of higher education
- This thesis does not contain any material previously published or written by another person except where due reference is made in the text
- This thesis does not contain any defamatory material

Signature

Date.....11/11/2014.....

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To my supportive fiancé Danny, thank you for always standing by me and gently getting me through those difficult days. Your compassion and patience has kept me sane and heartened me to continue. Finally, to my special friends who are so dear to me and have believed in me from the very beginning, Belinda, Rita and Luana thank you for all your encouragement, time and unrelenting support. I am blessed to have all of you in my life and feel truly grateful for everything you have done.

Contents

Use of Thesis	2
Abstract.....	3
Acknowledgements	5
List of Tables	9
List of Figures.....	10
List of Appendices.....	11
Chapter 1 Introduction.....	12
<i>Plan of the Thesis.....</i>	<i>15</i>
Chapter 2 The Best Interests of the Child Principle: A Legislative Overview.....	17
<i>Evolution of BIC</i>	<i>17</i>
<i>The BIC Standard</i>	<i>20</i>
<i>Current Legal Frameworks.....</i>	<i>23</i>
Federal legislation.....	23
State legislation.....	28
<i>Some Key Aspects of The BIC Debate</i>	<i>31</i>
<i>Law and Public Sentiment</i>	<i>33</i>
<i>Summary</i>	<i>36</i>
Chapter 3 Psychological Theories That Underpin Current Legislative Frameworks and Evaluations	38
<i>Attachment Theory.....</i>	<i>39</i>
Attachment patterns.....	40
<i>Behavioural Theories.....</i>	<i>42</i>
Behaviourism.....	42
Social learning theory.....	43
<i>Parenting Styles</i>	<i>45</i>
<i>Parenting and Child Developmental Outcomes</i>	<i>49</i>
Aggression and delinquency.....	49
Cognitive and educational outcome.....	52
Morality and social responsibility.....	53
Self-esteem.....	54
Less risk to mental health problems.....	55
Greater resistance to peer pressure.....	56
Identity.....	58
General health and biological development.....	58
Autonomy.....	60
<i>Factors That Impact on Parenting.....</i>	<i>60</i>

Child characteristics.....	61
Support network.....	70
Environmental factors.....	75
Social and economic factors.....	78
<i>Role of Culture</i>	81
Acculturation and its impact on parenting.....	85
<i>Summary</i>	89
Chapter 4 The Research Process of the Current Study	91
<i>Research Design and Objectives</i>	91
<i>Participants</i>	92
<i>Sampling Methods</i>	94
<i>Participant Recruitment</i>	94
<i>The Interviews</i>	95
Chapter 5 Data Analysis.....	98
<i>Data Collection</i>	98
<i>Coding</i>	98
<i>Diagramming and Memoing</i>	99
<i>Constant Comparison</i>	100
<i>Theoretical Sensitivity</i>	100
<i>Core Category and Integration of Theory</i>	101
<i>Participant Data Not Included in the Analysis</i>	102
<i>Establishing Rigour</i>	102
Chapter 6 A Grounded Theory of Community Conceptualisations of the Best Interests of the Child Principle	105
<i>Participants' Definition of the Term "Best Interests"</i>	105
<i>Gender Differences in Reporting</i>	106
<i>Context</i>	106
<i>Community Perspectives Regarding The Primary Needs of Children</i>	109
<i>Intervening Factors</i>	111
<i>Major and Subcategories: Components and Relationships</i>	115
To feel safe.....	115
To have stability.....	120
To be nurtured to foster physical development.....	120
To develop competencies to live a functional life.....	120
To develop autonomy and resilience.....	125
To know they are loved.....	129
To feel a sense of belonging.....	131

Chapter 7 Community Conceptualisations of BIC: An Integration of Findings with Existing Theory and Legislation	134
<i>Limitations of the Study</i>	<i>141</i>
<i>Summary</i>	<i>142</i>
References	144
Appendix A	190
Appendix B	191
Appendix C	192
Appendix D	193

List of Tables

Table 1: <i>Brief Descriptions of the Major Domains of Child Development</i>	22
Table 2: <i>Australian States and Corresponding Legislation That Makes Reference to BIC</i>	29
Table 3: <i>Demographics of Participants</i>	93
Table 4: <i>Major Categories Relating to the Needs of Children</i>	110

List of Figures

Figure 1: <i>Major Categories and Intervening Factors</i>	114
Figure 2.1: <i>Four (Safety, Stability, Physical Development and Competencies) of Seven Identified Major Developmental Needs of Children and the Associated Parental Practices That Foster Them</i>	124
Figure 2.2: <i>One (Autonomy and Resilience) of Seven Identified Major Developmental Needs of Children and the Associated Parental Practices That Foster Them</i>	128
Figure 2.3: <i>Two (Love and Belonging) of Seven Identified Major Developmental Needs of Children and the Associated Parental Practices That Foster Them</i>	133

List of Appendices

Appendix A: *Advertisement For The Study*.....181

Appendix B: *Information Sheet*.....182

Appendix C: *Consent Form*.....183

Appendix D: *Interview Schedule*.....184

Chapter 1 Introduction

Best interests of the child (BIC) is a notion that has existed for many years and has meant different things at different times (Read, 2003). It has played a pivotal role in decision making with respect to post separation parenting disputes and historically, has followed gender-based and/or moral presumptions of the day (Kelly, 1994). By the 1970's the BIC principle became more established with direct references to the standard being incorporated in legislation (Kelly, 1994). As time has progressed there has been a shift away from gendered and morally based presumptions about what is best for children in favour of a more generalized welfare view that is focused on the needs and rights of children (Moloney, 2008).

The most current reference for the BIC standard is the United Nations Convention on the Rights of the Child (UNCROC; 1989) that sets out the ideal standards for the treatment of children (Read, 2003). The UNCROC reflected a new sociology of childhood and viewed children as people who in their own right are entitled to be treated with respect and dignity and to have their perspective taken seriously (Tapp & Henaghan, 2000). Four general principles were embodied in the Convention: (a) the best interests of the child must be the primary consideration in all actions affecting children; (b) no discrimination; (c) children have a right to life, survival, and development; and (d) children have the right to express their views freely (Long & Sephton, 2011).

Consistent with UNCROC, Australia has incorporated the BIC principle in a range of state and national legislation such as family law Acts, adoption Acts, guardianship Acts and child welfare and protection Acts (Thomson & Molloy, 2001). The BIC concept is best exemplified in the Family Law Act (1975) that has attempted to detail a list of legislative guidelines that need to be taken into account when

determining what is in the child's best interests. Considerations include the need to protect the child from physical or psychological harm, the capacity of each parent to provide for the needs of the child, any family violence applying to the child, views expressed by the child and the nature of the relationship between the child and each parent. Recent amendments have also encouraged cooperative parenting and stipulated parents jointly share responsibilities concerning the care, welfare and development of their children (Family Law Amendment [Shared Parental Responsibility] Act 2006).

Although there is general agreement about the importance of the underlying principles associated with BIC, the concept has been widely criticised for its indeterminacy, the subjectivity of its application, and the implications of this across diverse cultures and contexts (Long & Sephton, 2011). These issues are long standing and can be traced back to Robert Mnookin (1975) who famously drew attention to the indeterminate nature of the BIC principle. A common concern documented in literature is that the principle gives decision makers a large amount of discretion, such that individual beliefs and values typically influence what factors are given priority when making decisions about the future of the child (Banach, 1998; Kelly, 1997; Skolnick, 1998). Although legal criteria offer some guidance for practitioners, there continues to be a lack of uniformity in decision making due to the broad nature of existing criteria (Fitzgerald & Moltzen, 2004).

Research to date has primarily focused on professionals with little investigation into how the general community conceptualises the concept. An American study by Pruett, HoganBruen and Jackson (2000) examined parents' and attorneys' understanding of BIC legal criteria in order to examine the similarities and differences between parental and professional concepts. Parents, children and

attorneys from twenty-one divorcing families participated in semi-structured interviews. Responses from attorneys and parents regarding their perspectives on BIC indicated significant divergence in the criteria they choose to acknowledge when determining a child's best interests. Of relevance for the current research was when parents were provided opportunity to define BIC they tended to adopt the perspective of children and focused on the child's needs rather than on the parent's characteristics or competence in parenting. Although this research has offered some insight into community perspectives, the sample was specific to parents who had recently divorced and lacked diversity with regard to those community members who are unmarried, non-parents and of different cultural backgrounds.

Given that one of the aims of law is to reflect public sentiment (Green, 1996), there appears to be a need to investigate public views on the BIC concept. The degree to which law reflects public sentiment has been found important with regard to law abidingness and maintaining the moral and legal legitimacy of laws (Blumenthal, 2003). Aligning legal decision making with contemporary social norms facilitates people to voluntarily obey the law and enables society to function effectively (Robinson & Darley, 1995).

Overall, BIC is an abstract construct that lacks a clear definition. Assessing BIC poses a challenge to both judicial officers and practitioners. Research following recent legislative changes regarding shared parenting has also raised concerns regarding its application. A three year research project completed by Rhoades, Graycar and Harrison (2001) suggested that there have been numerous conflicting interpretations of the current statutory scheme by judicial officers, lawyers, counsellors and parents. It was stated that decision makers were operating from an assumption that BIC would be met by maintaining contact with the non-resident

parent rather than this being an issue for determination. Research has also found that parents who litigate typically demonstrate high levels of dispute and lack flexibility (McIntosh & Chisholm, 2008). The utilisation of shared care arrangements has therefore been questioned in high-conflict separations where children are exposed to acrimonious relationships and are in the care of individuals who have a low capacity to be attuned to their needs (Campo, Fehlberg, & Millward, 2011; McIntosh & Chisholm, 2008).

In view of the far-reaching consequences associated with decision making by courts regarding the lives of children, exploratory research is necessary regarding the BIC concept in Australia. Investigation into community views would inform legislation, assist decision makers and establish common ground between public opinion and the BIC concept. In this research I attempted to elucidate the community perceptions of the BIC concept and determine what factors they considered important when determining BIC. The aim of the study is to use an empirically-based qualitative approach to ascertain if commonality exists between community perceptions and explore the extent to which this may inform legal-decision making specifically with regard to parents who are separating or divorcing.

Plan of the Thesis

This study was developed because of the lack of consensus among mental health and legal professionals about what constitutes BIC and the lack of agreement regarding the generic criteria that should be considered when determining BIC. At present judicial officers and forensic evaluators focus on both parenting capacity and child needs when making determinations about the best interests of children (Garber, 2010). In order to provide context about current applications of BIC an understanding of parenting literature, relevant underlying psychological theories and legislation is

necessary. Therefore, a legal framework of BIC including its history, current definitions and legislative guidelines will be discussed in Chapter 2. Psychological theories and parenting literature that underlie current evaluations and guidelines will be discussed in Chapter 3.

Chapter 4 focuses on the research design, aims and methodology and Chapter 5 explains the analysis process that was undertaken. Chapter 6 contains a discussion of the findings with focus on the grounded theory generated. Finally, Chapter 7 discusses findings in the context of existing literature and legislation and includes implications of the current research.

Chapter 2 The Best Interests of the Child Principle: A Legislative Overview

This chapter briefly describes the history and applications of the BIC principle. Since this is a psychology thesis, an in-depth analysis of the legislative history and the impetus for, and effects of, the series of reforms that have taken place across time is beyond the scope of this study. A simplified account has been given in order to provide a context within which the research can be understood.

Evolution of BIC

The BIC concept has evolved across time. Historically, the concept has been based on presumptive principles and generally reflected societal values and beliefs about what is considered best for children. The earliest application of the principle dates back to Roman law from which much of the law of English speaking countries (such as Australia, Canada, and the United Kingdom) has derived (Moloney, 2008). In the early Roman Republic, fathers were the primary decision-makers with respect to their children (Kelly, 1994). During this time fathers were viewed as the legal head of the household and were subsequently provided absolute custody of their children by the courts (Kelly, 1994). This power of *paterfamilias* was granted to fathers based on several factors. These included the father's greater ability to care for the child financially, his entitlement to the benefit of the child's services, his ability to provide occasional training to the children, and the view of the children as a property of the father (Moloney, 2008). It was believed that by providing fathers with superior rights it would avoid the possibility of dispute between husband and wife (Moloney, 2000). This was considered to be in the best interest of children because it provided harmony and protected children from divided authority which they might take advantage of (Moloney, 2008).

During the Industrial Revolution a maternal preference is thought to have emerged (Wright, 2002). This was referred to as the 'tender years' doctrine when preference was given to the mother to retain custody of her children (Kushner, 2006). It has been suggested by social historians that during the Industrial Revolution men were required to find employment outside the home and as such a substantial division of labour between men and women developed (Wright, 2002). It is believed that these changes accompanied a rise in domesticity and placed women at the centre of the household (Moloney, 2000). This approach was deemed to have a biological basis and asserted that nature enabled mothers to nurture and care for infants during their tender years. Subsequently, during this time period courts typically awarded the care and custody of young children to mothers (Artis, 2004; Kushner, 2006).

With mothers being viewed as the most natural caregivers to provide care for children, applications submitted by fathers had to prove that the mother to their children was not fit or capable of her parental duties (Kushner, 2006). Decision making about children then evolved and emphasised the moral welfare of children. With this emerged tying blame in divorce cases to the custody of children as a means of encouraging marital solidarity (Wright, 2002). When adultery was both legally and socially unacceptable judges were concerned with upholding social stability (Moloney, 2000). Denying custody to an adulterous mother upheld the institution of marriage and was deemed to be conducive to the child's welfare as it protected the child from damaging influences (Moloney, 2000).

As a result of constitutional concerns for equal protection, the feminist movement and the entry of large numbers of women into the work force, by the mid-1970s there was a move towards gender-neutral laws (Kelly, 1994). In 1975 in line with Europe and most English-speaking countries, Australia introduced no fault

divorce legislation (Moloney, 2008). This coincided with a series of formal declarations by many courts that decisions would no longer be guided by gender related presumptions and the BIC would become the paramount principle guiding decision making (Moloney, 2010).

The nature of BIC has continued to evolve and been further shaped by contemporary theories and beliefs about children and families (Read, 2003). The most current reference for the best interests principle originated from the UNCROC which suggested that BIC be the primary consideration in all actions that concern children regardless of whether the action was undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies (Thomson & Molloy, 2001).

Australia became a signatory nation to the Convention in 1990 (Blackman, Montague, Freiman, & Wodak, 2000; Caddick & McDougall, 2007). The UNCROC set out general principles regarding the legal rights of children and was a significant step in the process of recognising children's rights at an international level (Blackman et al., 2000). Obligations are placed on signatory nations to protect the individual rights of children and ensure that children are given the opportunity to express their wishes, have these heard and given due weight according to age and maturity of the child (Blackman et al., 2000). The core of the Convention was the assertion that the approach to children's rights was fundamentally no different from an approach to the rights of any other individual. It encouraged children's rights of autonomy and aimed to improve the marginalised status of children. The Convention does not place responsibility for decisions on a child, nor require that a child's views be determinative, however does place emphasis on treating children with respect and dignity (Tapp & Henaghan, 2000). This notion promoted children as individuals, with

different abilities, that have a right to be informed, a right to freedom of expression and the right to participate in decision making procedures (Hart, 2003).

There is much research demonstrating how decision making about children has been based on a number of presumptive principles (Batagol, 2003; Emery, 1999; Moloney, 2000; Read, 2003; Thompson & Molloy, 2001). Furthermore, judges have found ways of reflecting their understanding of dominant cultural attitudes about a range of issues to resolve disputes regarding children (Moloney, 2008). This has included issues such as public morality, the preservation of marriage, the rights of fathers, the duty of wives and the needs of children. Society structures, political laws and social rules have historically used children instrumentally for the broader social purpose (Tapp & Henaghan, 2000). It is likely that the BIC concept will continue to evolve based on social changes.

The BIC Standard

BIC is the paramount principle and legal standard which most jurisdictions worldwide use to determine custody (Melton, Petrila, Poythress, & Slobogin, 2007). The term BIC has not specifically been defined and as such judicial officers are required to draw upon the governing statutes and case law to make determinations that are seen to be in the child's best interests (Hart, 2003). The weight to be accorded to the factors has been left to judicial discretion, which has facilitated flexibility and enabled judges to be guided by a sense of the values of the community (Melton et al., 2007). Family law professionals in the United States of America have defined best interests as the basic developmental interests such as physical, emotional, psychological and intellectual care that children need to enter adulthood without disadvantage (American Psychological Association, 2010; Eekelaar, 1992; Garber, 2010).

Child custody evaluations focus on parenting attributes (skills, deficits, values, and tendencies relevant to parenting), the child's psychological needs, and the resulting fit (American Psychological Association, 2010; Garber, 2010). Distinctions have also been made with regard to current interests and future-oriented interests (Freeman, 2007). Thus, court outcomes seek not only to fit children's present needs, but also account for continuing growth and associated developmental needs (Garber, 2010).

Professionals agree that the task is to promote effective socialisation of children and facilitate the child's optimal development in a safe environment (Emery, 1999; Hart, 2003; Read, 2003; White, 2005). There is also recognition that such socialisation transpires within an ecological framework that considers children in relation to their family and the larger cultural context (Freeman, 2007; Grusec, 2011; Thomson & Molloy, 2001; White, 2005; Woodcock, 2003). In order to provide courts with astute and scientifically sound assessments that address the legally relevant issues, evaluators need to be knowledgeable about the applicable legal and regulatory standards and interpret findings based on child development literature (Rohrbaugh, 2008). By grounding findings in both developmental and psychological theory, evaluators are able to identify a child's needs and can speak to what parenting resources, caregiving environments, social supports, educational opportunities and therapies are likely to serve the child's healthy growth and interests (Garber, 2010). Although a comprehensive review of the relevant child development research is beyond the scope of this thesis, one can be found in Garber (2010). A summary of the major child developmental areas that have informed existent guidelines is provided in the table below (Lindon, 2010; Santrock, 2004).

Table 1

Brief Descriptions of the Major Domains of Child Development

Major Domains of Development	Description
Cognitive development	Relates to the growth of thinking processes and the understanding of the rules that govern the physical world in which we live. It includes intellectual abilities such as memory, attention, problem solving, academic and everyday knowledge, creativity, and imagination.
Language development	Relates to the acquisition of language skills. More specifically, a child's ability to understand his/her verbal environment, the ability to express his/her own experience, and the ability to comprehend information.
Social development	Relates to a child's progressive understanding of their social world and their ability to learn the values, knowledge and skills to effectively relate to others. This includes understanding internal processes that exist in one's self and others and appreciating complex interactions between person and environment.
Emotional development	Relates to the acquisition of emotional competence skills to effectively manage emotions, develop a sense of well-being, and become resilient to stressful situations.

Physical development	Relates to a child’s health and the abilities they need to explore and interact with the world around them. It encompasses motor development and physical growth.
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Note. Adapted from *Understanding Child Development* (p. 25), by J. Lindon, 2010, London: Hodder Education.

Current Legal Frameworks

The BIC concept has gained legislative acceptance and is a legal construct that is included in numerous pieces of Australian federal and state legislation. The majority of legislation refers to the principle that originated from UNCROC which states that BIC must be the paramount consideration when making legal decisions relating to children. A range of considerations are embodied within Australian legislation and provide general guidelines on how the BIC concept can be applied. Factors that have been taken into account have generally been adapted from relevant theoretical paradigms from a number of disciplines including psychology, social work and law (Banach, 1998; Kelly, 1997; O’Donohue & Bradley, 1999; Wayne, 2008).

Federal legislation.

The Family Law Act (1975; FLA) is the most comprehensive piece of legislation that attempts to address the indeterminacy of the best interests principle by defining a set of best interests standards. Western Australia (WA) is the only Australian state to set up its own court to administer the FLA and the legislation relating to its operation is based on both the FLA its own state legislation (Family Court Act 1997). This is unlike other states whereby family law matters are dealt with in two federal courts: the Family Court of Australia and the Federal Magistrates Court. Regardless of these differences the principles that govern decision making are the same.

The FLA states that BIC needs to be the paramount consideration when making a parenting order (ss60CA, 65AA), parenting plan (ss63B, 63F, 63H) and recovery order (s67V). Additionally, the principle applies to orders relating to the welfare of the child (s67ZC) and orders for independent representation by a lawyer for the child (s68L). The Act (ss60CC, 60CD, 60CG) outlines 15 considerations for the court to take into account when determining what is in the child's best interest including:

- the desirability of the child having a meaningful relationship with both parents;
- the need to protect the child from physical or psychological harm or being exposed to or subjected to, abuse, neglect or family violence;
- the wishes and views of the child, having regard to the maturity and understanding of the child;
- the nature of the relationship of the child with the child's parents and/or others (including grandparents);
- the extent to which each of the child's parents have taken, or failed to take, the opportunity to: participate in making decisions about long term issues in relation to the child, spend time and communicate with the child and to fulfil obligations to maintain the child;
- the likely effect on the child of any changes in the child's circumstances from separation with either parent or other family member or person with whom the child has been living;
- the practical difficulty and expense of a child spending time with and communicating with a parent and its effect on the child's right to maintain relations with both parents;

- the capacity and willingness of the child's parents to provide for the needs of the child (including emotional and intellectual needs);
- the maturity, sex, lifestyle and background of the child and either of the child's parents;
- if the child is an Aboriginal or Torres Strait Islander (ATSI) child: the need to encourage, preserve and enhance the child's sense of racial, ethnic, religious, spiritual and cultural identity;
- the attitude of the child's parents toward the child and responsibilities of parenthood;
- any family violence involving the child or a member of the child's family;
- any family violence order that applies to the child or a member of the child's family;
- whether it would be preferable to make the order that was the least likely to lead to further proceedings in relation to the child; and
- any other fact or circumstance the court deems relevant.

There have been several changes to the legislation over the years and current guidelines have been formed following the UNCROC and a series of reports produced by the Family Law Council (Freeman, 1997; Rhoades, Graycar, & Harrison, 2000). In 1995, the Family Law Reform Act was introduced and stated the main objectives were: to effect an attitudinal shift with regard to the approach taken by parents toward their children following dissolution of the relations; reduce disputes between parents following separation by removing the propriety notion of children; emphasise the rights of children; encourage parents to enter into private agreements with regard to the future care of their children; and prevent exposure to violence (Rhoades et al.,

2000). The amendments resulted in: children having the right to know, be cared for and have contact with both parents; terminology changes (for example parenting orders replacing the previous orders for residence and contact); changes to the effect of orders such that parental responsibility remains unaffected by the children's living arrangements or parents separation; and a number of provisions to ensure children and carers are protected from violence (for example refraining from making contact orders that are inconsistent with a family violence order unless it is in the best interests of children to do so; Rhoades et al., 2000).

In 2006, further reforms took place and resulted in the development of the Family Law Amendment (Shared Parental Responsibility) Act that encouraged cooperative parenting and jointly sharing responsibilities associated with child rearing. The Act stipulates (s60B) that children have a right to: meaningful involvement to the maximum extent with both parents, spend time and regularly communicate with both parents, and maintain a connection to culture; and both parents share duties and responsibilities regarding the care, welfare and development of their children. As a means of assisting separated parents agree on what is best for their children (rather than litigating) reforms required parents to attend family dispute resolution before filing a court application, except in certain circumstances, including where there are concerns about family violence and child abuse. Lastly, increased funding was provided for the development of new and expanded family relationships services, including the establishment of Family Relationship Centres (FRCs), Family Relationship Online (FRO) and Family Relationships Advice Line (FRAL), a national advice line. These systemic changes were developed to enable separated families to more easily access services appropriate to their needs.

The most recent reform is the Family Law Amendment (Family Violence and other Measures Act) 2011. The amendments were largely a result of concerns that family violence was a common occurrence and was not being dealt with well by the family court. The legislative provisions following the 2006 reforms required judicial officers (when deciding where a child is to live or with whom a child is to spend time) to balance the need to protect adults and children from violence whilst also encourage separated parents to maintain a meaningful relationship with their children. This resulted in substantial criticism given there were no specific provisions in the legislation which prioritised protection from harm over shared parenting (Parkinson, 2012). Three major changes were made to the FLA as a result. Firstly, definitions of family violence, exposure to family violence and child abuse were all widened. Such that the definition of family violence includes a range of threatening behaviours for example stalking and repeated derogatory taunts and the element of the former definition of fear or apprehension of violence being “reasonable” was removed. Additionally, definitions for children who are not direct victims however are exposed to family violence have been added and include situations such as overhearing threats of death and seeing or hearing an assault. Finally, the definition of abuse was also expanded to include serious psychological harm and serious neglect.

The second major change pertained to judicial officers being directed to take into account “primary” and “additional” considerations when determining the best interests of the child. The two primary considerations are: 1) the benefit to a child of having a meaningful relationship with each of the child’s parents and; 2) the need to protect the child from harm. Recent amendments now require the court to give “greater weight” to the need to protect the child from harm. The legislation also specifically states that when a court is considering making a parenting order it must

ensure that the order does not expose the child to “an unacceptable risk of family violence”. The joined effect of these two amendments is to prioritise the risk of harm to a child over the benefit that a child may obtain through a meaningful relationship with a non-resident parent. Consistent with this the additional considerations have also been amended to direct the court to have regard to any state or territory family violence order applying to a child or a member of the child’s family and to give appropriate weight to the existence of such an order when making a parenting order.

Finally, the “friendly parent” provision which required judicial officers when making a parenting order to take into account “the willingness and ability of each of a child’s parents to facilitate and encourage a close and continuing relationship between the child and the other parent” was removed. Instead judicial officers are directed to consider how in the past each parent has fulfilled the responsibilities of parenthood, their participation in decision making regarding the child, and the amount of time and communication with the child. Thus, following recent amendments the FLA (s60CC) outlines 2 primary considerations, 14 additional considerations and 2 regarding the cultural rights of children, making a total of 18 considerations in all.

State legislation.

Similarly, the concept of BIC figures prominently in numerous state Acts such as guardianship Acts, adoption Acts, child welfare and protection Acts (see Table 2; Banach, 1998; Thomson & Molloy, 2001). Following perusal of Australian legislation Table 2 was constructed to highlight legislation that includes the BIC principle across each state.

Table 2. Australian states and corresponding legislation that makes reference to BIC.

State	Relevant Legislation
Australian Capital Territory	Children and Young People Act 2008 Adoption Act 1993
New South Wales	Children and Young Persons (Care and Protection) Act 1998 Children (Protection and Parental Responsibility) Act 1997 Guardianship Act 1997
Northern Territory	Care and Protection of Children Act 2007
Queensland	Child Protection Act 1999 Commission for Children and Young People and Child Guardian Act 2000 Adoption of Children Act 1964 Adoption Act 2009
South Australia	Children's Protection Act 1993 Children's Protection Regulations 2006
Tasmania	Children, Young Persons and their Families Act 1997 Guardianship and Administration Act 1995
Victoria	Children, Youth and Families Act 2005 Child Wellbeing and Safety Act 2005 Guardianship and Administration Act 1986

Western Australia	Children and Community Services Act 2004 Working with Children (Criminal Record Checking) Act 2004 Adoption Act 1994 Guardianship and Administration Act 1990
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The amount of detail included in each piece of legislation varies with some Acts simply referring to BIC as the guiding paramount principle (such as Guardianship and Administration Act 1990 [s4]; Adoption Act 1994 [s3]; Adoption of Children Act 1964 [s10]; Child Protection Act 1999 [s5A] and Children and Young People Act 2008 [s8]) and others outlining a more detailed description of specific individual items that need to be considered when determining BIC (such as Children, Youth and Families Act 2005 [s10]; Adoption Act 2009 [s6] and Care and Protection of Children Act [s10]).

Consistent with the guidelines detailed under federal legislation, state Acts have included the following as important when making legal decisions involving children: the need to protect the child from harm; the importance of continuity; the right of the child to be provided with a nurturing, safe and stable living environment; the need to preserve the child's cultural/ethnic/religious identity; the need to strengthen relationships between the child, the child's parents, grandparents and other family members; consideration being given to the child's wishes and views; the child's physical, emotional, intellectual, spiritual, developmental and educational needs and the capacity of the parents or any other person to meet the child's needs.

The BIC principle has therefore been incorporated in numerous Acts within both federal and state legislation. Overall, the primary focus of current legislative guidelines is to promote the child's development and wellbeing.

Some Key Aspects of The BIC Debate

Although few would argue with the intentions and underlying principles of BIC, it has come under some scrutiny from both legal and psychological commentators (Kelly, 1996; Krauss & Strauss, 2000; Mason, Skolnick, & Sugarman, 1998; Schneider, 1991). A common complaint is that although experts, attorneys and court personnel heavily rely on the BIC concept, it lacks definition and consequently the standard means different things to different people (Banach, 1998). The BIC concept has raised contradictory and conflicted opinions, both expert and non-expert, on what adequately addresses the needs and rights of children (Read, 2003). Given that judges are required to make decisions that have significant impact on the lives of many children and parents, scholars argue that the vagueness of the BIC standard allows the free play of judicial bias such that very different outcomes occur in similar cases (Skolnick, 1998). Critics have also highlighted the lack of consensus among mental health and legal professionals about what constitutes BIC (Kelly, 1997; Skolnick, 1998).

A "process versus discretion" tension appears to exist in the Australian legislation and the amount of discretion offered to judges has differed at different times in line with the guidelines. Consistent with this, recent amendments to the legislation appear more prescriptive and have directed judges to two levels of considerations: "primary" and "additional". Although some considerations have been outlined in legislation, they are broad, offer little guidance as to what specific information is relevant and have not led to uniformity in decision making (Jameson,

Ehrenberg & Hunter, 1997; Kelly, 1997). Questions continue to go unaddressed regarding: weightings of best interests criteria; meaning of the criteria for children of different ages; and the manner in which psychological concepts are used to provide meaning (Kelly, 1997). These problems have led to considerable concern about the utility of the BIC guidelines and highlighted a need for guidance with regard to what specific information is relevant to the decision making process (Fitzgerald & Moltzen, 2004).

Thomson and Molloy (2001) critically evaluated the way Australian courts and psychologists employ the concept of the BIC. They highlighted that the primary difficulty faced by professionals was how to operationalise the BIC concept. The authors argued that a concept that is not clearly operationalised is likely to facilitate decisions (made about children) that are based more on the subjective values of relevant professionals, such as judges and psychologists than objective measures of child needs/interests. Additionally, it was noted that although legislative frameworks exist, criteria that have been developed are open-ended therefore making outcomes unpredictable.

A Norwegian study by Skivenes (2010) supported concerns relating to the ambiguity of the BIC principle and decisions subsequently resting on the values and preferences of judges. The research analysed three child welfare cases on adoption in order to understand and evaluate how the Norwegian Supreme Court came to decisions that they considered to be in the child's best interests. The findings showed that two of the three decisions did not meet the standards of rational argumentation, suggesting that decisions were instead based on the judges' subjective preferences. The study highlighted the arbitrary nature of decision making by courts and concluded that the indeterminacy of BIC weakened the legal protection for children and parents.

A Canadian study undertaken by Jameson et al. (1997) developed an assessment model that organises specific criteria relevant to BIC. The best-interests-of-the-child assessment (BICA) model focused on custody evaluations. The framework translated BIC criteria into relevant and specific psychological concerns. The hierarchical model was intended for use as an assessment framework (not an assessment tool) and enabled evaluators to select among specific psychological measures that may be helpful in assessing case relevant BIC criteria. Although this research clarified some of the vagueness associated with the BIC concept it is applicable only within the family law arena and predates amendments made in 2006 to the Australian Family Law Act. What specific knowledge, attributes, skills and abilities need to be considered when investigating BIC continues to be unclear.

Law and Public Sentiment

Research has primarily focused on professionals' understandings, with little investigation into how the general community conceptualises the concept. At the Australian Institute of Family Studies Conference (2005), Professor Richard Chisholm, a former judge of the Family Court of Australia, asserted that people outside the court and its personnel are likely to have expertise in family issues and would be able to determine what is best for children in certain cases (Chisholm, 2005). One of the aims of law is to reflect public sentiment (Green, 1996) and as such there is a need to investigate public views on the BIC concept.

The degree to which law should reflect public sentiment has been a topic of much debate. There are two views expressed in the literature: (1) public opinion on justice eventually finds its way into law, and (2) public views should be reflected in legislation and judicial decision making. According to Green (1996) the ultimate basis of the law should be public opinion. That sentiment is shared by Robinson and

Darley (1998) who highlighted that expanding our understanding of legal concepts can help refine existing rules and ensure that those rules serve their intended purpose. Darley, Fulero, Haney, and Tyler (2002) suggested that people are more likely to take responsibility for following rules if they feel that the law is fair and reasonable. This subsequently increases people's motivation to become involved with legal authorities, participate in society and are more willing to be governed by its laws. It was concluded that compliance with law could be achieved by: 1) creating a set of laws that embody the moral intuitions of the citizens; 2) creating a legal authority that people trust; and 3) creating a set of law enforcing procedures that provide citizens with respect and enable them to feel like valued members of the community, even when legal decisions go against their interests. Thus, it has been suggested that in order to create an efficient and effective legal system legal codes need to be in general accord with the shared conceptualization of right and wrong that exists among citizens (Darley & Zanna, 1982). These findings have been supported by other studies that have explored the influence of morality and legitimacy on compliance (Grasmick & Bursik, 1990; Grasmick & Green, 1980; Suchman, 1995).

It is also acknowledged that apart from very stable, ethnically and religiously homogeneous communities, diversity and disagreement regarding values is expected (Jacobs, 2011). Access and equity are fundamental to the issue of cultural diversity and the Courts. Access to justice is central to the rule of law and integral to basic human rights (Jacobs, 2011). It is an essential precondition to social inclusion and a critical element of a well-functioning legal system (Jacobs, 2011). Without it, the system risks losing its relevance to, and the respect of, the community it serves (Jacobs, 2011). When drastic gaps between community values and existing legal practice exist reforms are sought to try to close the gap and to revise and improve

practices (Suchman, 1995). When attempting to review legal systems and laws the question of how far one modifies depends on a normative consensus and its legitimacy (Jacobs, 2011; Suchman, 1995). Any approach to accommodating diversity must meet the objectives of respect for cultural diversity on the one hand, and the guarantee of equality on the other (Ayton-Shenker, 1995). The cultural practices of minorities should be respected in the interests of liberal democracy and individual freedoms (Ayton-Shenker, 1995). Cultural tolerance, however, must not be allowed to become a mask for injustice. There must be protection for the rights of individuals who may be harmed by, or may not wish to participate in, certain traditional practices (Ayton-Shenker, 1995).

Blumenthal (2003) reported that there may be serious implications for the rule of law when lay perceptions and legal standards diverge. According to Blumenthal, not only might the public cease agreeing with, and respecting, laws and judicial decisions, but its disagreements might gradually take a more active form, such as actual law breaking. Darley and colleagues (2002) additionally reported that when legal codes and community standards conflict, the legal system can be perceived as oppressive and lead to a general radicalization of citizens, rejection of the law enforcement system and the growth of gangs and gang violence.

Without public faith or belief in justice according to law, any system of law, however skilfully designed, has been described as an empty form (Blumenthal, 2003). Community sentiment studies are therefore useful in maintaining the moral and legal legitimacy of laws. Although public sentiment is only one aspect of what guides law, legislators and academics can use information gathered to further evaluate the empirical basis of opinions and balance such findings against other principles valued by the legal system.

Summary

The BIC concept has varied in its application across time and has typically followed gender-based and/or moral presumptions of the day. The most current reference for the BIC concept originated from the UNCROC which emphasised the rights of children and stated that the best interests of the child shall be the primary consideration in all actions that concern children (Hart, 2003; Thomson & Molloy, 2001). Although there is agreement between legal and psychological commentators about the principle of BIC, the concept has been widely criticised for being vague and indeterminate. Despite the lack of clarity around the BIC concept, it has gained legislative acceptance and is a legal construct that is included in numerous pieces of Australian legislation (Banach, 1998). The FLA has attempted to systematically detail a list of 15 considerations that need to be taken into account when determining BIC. More recently there have been significant reforms to the legislation with the most contentious issue being the introduction of a child's right to regular contact with both parents (Family Law Amendment [Shared Parental Responsibility] Act 2006; Family Law Reform Act 1995).

Of interest to the present study is that research to date has yet to investigate public views regarding the BIC concept. The research discussed highlights the importance of public views in that divergence between lay perceptions and legal standards can lead to reduced respect for the law and law breaking (Blumenthal, 2003). Although it is noted that the guidelines of BIC are likely to change depending on the legislative area and context in question, the concept is frequently invoked by both professionals and community members (Kelly, 1997). Similarly, Green (1996) has suggested that public opinion should be the ultimate basis of the law (Green, 1996). In view of the recent legislative changes to the FLA and the implications of

decisions made regarding the care and placement of children an investigation into community views appears essential.

Chapter 3 Psychological Theories That Underpin Current Legislative Frameworks and Evaluations

Judicial officers enlist experts/evaluators to guide them in evaluating the parties' claims and to inform the ultimate issue of what allocation of custody between the parents will promote the child's best interests. Court appointed experts and evaluators help shape custody decisions by grounding findings in psychological theories and providing information regarding parenting attributes, the child's psychological needs, and the resulting fit. Methods of assessing parenting capacity tend to take the form of guidelines for conducting these assessments and critical to sustaining competent practice in this area is up-to-date understanding of child and family development, child and family psychopathology and the impact of relationship dissolution on children (American Psychological Association, 2010; White, 2005). There are a number of broad areas of theory and research that inform the psychological opinions of experts/evaluations including: attachment theory, social learning theory, and parenting style. Collectively, these theories explain the psychological significance of parent-child relationships and why they are strongly linked with a child's well-being. This chapter will provide a brief overview of each area with focus on the essential elements and the manner in which they relate to child development. Thus, the aim of the chapter is to prompt a basic understanding of the theories and frameworks that help inform the clinical judgements made by experts and/or evaluators. The purpose of the chapter is to provide context only and as such will be descriptive in nature rather than a critical analysis of existing research.

Attachment Theory

Attachment theory was a concept developed by John Bowlby in the late 1950s that explored the effects of separation and loss on children (Davies, 2011; Lindon, 2010; Santrock, 2004). It proposes that a central component of normal development is a bond between caregiver and infant (Connors, 2011). Research has demonstrated that attachment is related to wide-ranging developmental outcomes including academic performance, somatic stress symptoms, affect and affect regulation, stress coping and resilience, and how the child parents his or her own children (Edwards, 2002; Green & Goldwyn, 2002; Ognibene & Collins, 1998; Schore, 2001; Zilberstein, 2013).

Attachment is defined as the strong, affectionate tie infants develop with their caregiver as an evolved response that promotes survival (Davies, 2011). Mary Ainsworth who worked with John Bowlby defined the attachment figure as unique and one who is never “wholly interchangeable with or replaceable by” another (Scott, 2011). Within this however it is also acknowledged that one can be attached to more than one person (Scott, 2011). The theory suggests that a child’s need for nurturance, comfort and protection creates an attachment between caretakers and children during infancy (Zilberstein, 2013). In order to be adequately cared for, young children and infants need to maintain closeness with caregivers and as such they develop various strategies to maintain proximity and elicit care and protection (Zilberstein, 2013). The child’s perception of the caregiver’s availability and what works to maximise that availability governs what strategies are used (Scott, 2011). The unique bond is described as a long-enduring tie in which separation causes distress and permanent loss would result in grief (Connors, 2011). The quality of the primary attachment has an important bearing on the separation experience and it’s through those experiences

that children develop an internal working model of the care and protection they have received, which provides a regulating and self-comforting role (Zilberstein, 2013).

Attachment patterns.

Ainsworth developed a laboratory-based procedure called the Strange Situation that translated infant attachment behaviours into a standardised classification system (Scott, 2011). The Strange Situation involved observing parent-child interactions when the child was under “stress” such as when a child was separated from the parent, or when the parent required the child to perform a work-type task (Moran & Weinstock, 2011). Coding systems were then used and provided information relating to the parent-child relationship and parenting skills (Moran & Weinstock, 2011). This procedure continues to be the worldwide standard for defining children’s attachment behaviour and researchers have delineated four basic attachment styles: secure, anxious-avoidant, anxious-ambivalent, and disorganized (Connors, 2011; Scott, 2011).

Attachment patterns have been linked to particular caregiving behaviours and child responses (Zilberstein, 2013). Through verbal and nonverbal behaviour parents of secure children show responsiveness and sensitivity to the child’s signals (Zilberstein, 2013). Emotional attunement is communicated by verbalising the child’s feelings and through facial and body gestures and actions that express awareness and interest (Scott, 2011).

Children who are securely attached experience confidence regarding their parents’ physical and emotional availability (Zilberstein, 2013). This enables them to signal attachment needs accurately and with the expectation of a positive response (Schore, 2001). Having a secure base promotes the child to independently explore and trust that the parent will intervene to help and protect when needed (Scott, 2011).

Secure parents typically repair difficulties and promptly re-establish attunement when security is disrupted, therefore assisting the child to regain security (Hughes, 2004).

Emotionally unavailable or only intermittently responsive caretakers to children's cues and stresses results in an insecure attachment (Scott, 2011). As a means of maintaining the relationship and maximising the caregiver's help and availability, the child will either blunt (as occurs in anxious-avoidant attachment) or intensify (as occurs in the anxious-ambivalent pattern) their expressions of feelings and needs (Connors, 2011). Such behaviours impact the child's ability to think about and/or feel certain affects across time (Zilberstein, 2013). Furthermore, it results in the development of various defensive strategies that protect the child from feeling unfulfilled and potentially overwhelming attachment longing (Liotti, 2004).

When caregivers cannot serve as a source of comfort or when the child experiences overwhelming fear about the caregiver's emotional withdrawal, fear-inducing responses, or confusing and contradictory behaviours, children develop a disorganised attachment (Connors, 2011). This attachment style is characterised by the child fluctuating between craving and fearing closeness with the caregiver which can be demonstrated by their contradictory behaviours such as freezing, stilling and/or apprehension when approaching attachment figures (Connors, 2011). Disorganised attachment typically indicates a breakdown in a child's organised ability to satisfy their attachment needs (Zilberstein, 2013).

Attachment theory proposes that patterns of relating to others begin in response to certain circumstances and later are reinforced and internalized as more generalised internal working models of relationships (Becker-Weidman & Shell, 2010). The attachment system is considered to be continually operating on some level

(possibly out of awareness) with individuals monitoring the balance of safety versus threat in their current environment (Moran & Weinstock, 2011).

Attachment theory has established a link between early attachment experiences and responsive caregiving (Crowell & Feldman, 1989; Millings, Walsh, Hepper, & O'Brien, 2012). Families are therefore best viewed as dynamic systems and a collection of numerous overlapping interpersonal relationships (Millings et al., 2012). Attachment theorists suggest that individuals with high levels of attachment security make the most responsive, attuned and sensitive parents (Feeney & Collins, 2001; Millings & Walsh, 2009; Millings et al., 2012).

Behavioural Theories

Behaviourism.

Behaviourist researchers were primarily interested in understanding connections between how patterns of reinforcement in the environment shaped children's development (Darling & Steinberg, 1993). Research completed by Burrhus Skinner was fundamental to the area and proposed a form of learning called operant conditioning (Staddon & Cerutti, 2003). From his studies Skinner proposed that behaviour tends to be repeated (i.e. strengthened) when it is reinforced and alternatively, behaviour that is not, tends to be extinguished (i.e. weakened; Staddon & Cerutti, 2003). These findings then formed the basis of formulations to explain how parents shape the behaviour of children through tools such as reinforcement schedules (Teti & Candelaria, 2002). The basic premise was that behaviour was the result of a stimulus – response association. For example if a child receives an immediate reward for his/her behaviour (such as getting parental attention or approval), then he/she is likely to do the behaviour again, whereas if she/he is ignored (or punished) then she/he is less likely to do it again (O'Connor & Scott, 2007). Therefore, socialisation

was viewed as a process of accumulation of a range of habitual social responses that were acquired under specific conditions and had a specifiable probability of occurring (Maccoby, 1992). Skinner's work became a broadly applied learning principle and proposed that adult culture was imparted to children through parental control and teaching.

Social learning theory.

Early theorists assumed top-down conceptions of socialisation whereby children were viewed as empty vessels and parents as transmitters of culture (Maccoby, 1992). Major shifts occurred in the direction of research due to the cognitive revolution that dominated psychology in the 1950's and 1960's (Maccoby, 1992). Profound developments to the conception of socialisation were made with processes being viewed as bidirectional and interactive in nature (Maccoby, 1992).

Social learning theorists expanded on early theories and proposed that behaviour did not have to be reinforced in order to increase and could increase if others are observed being rewarded for the same actions by a process of observational learning (Asmussen, 2011). Research completed by Albert Bandura found that children learn from others via observation, imitation and modelling (Grusec, 1992). Individuals that were observed by children were called models and within society there was said to be many influential models such as parents, peers, characters on television and teachers (Grusec, 1992). The theory hypothesised that children attended to some of the behaviour models provided (masculine and feminine), encoded this behaviour and at a later time possibly imitated what was observed (Bussey & Bandura, 1999). Bandura put forward that children were more likely to observe and imitate individuals they perceived as similar to themselves and subsequently, same sex people were considered highly influential (Bussey & Bandura, 1999). Unlike

behaviourists who believed that one's environment caused one's behaviour, Bandura argued that an individual's behaviour was influenced by the interaction of three components: the environment, behaviour, and one's psychological processes (reciprocal determinism; Bandura, 1989). According to social learning theory, reinforcement can be external or internal and can be positive or negative (Bandura, 1989). For example, a child gaining positive attention from parents is an external reinforcement whilst feeling happy about being attended to, is an internal reinforcement. When deciding whether or not to imitate someone's actions children will also take into account people's responses to that particular behaviour (Grusec, 1992). The theory highlighted two major types of sanctions that control transgressions: social (such as social disapproval) and internalised self-sanctions (Grusec, 1992). It is proposed that individuals tend to behave in moral ways in order to avoid social condemnation and external punishments. In addition, they may fear the loneliness and shame that the social sanctions trigger (Grusec, 1992). Internalised self-sanctions help individuals behave morally because it produces self-respect and self-satisfaction whereas immoral conduct creates self-deprecation (Ferrari, Robinson & Yasnitsky, 2010). External positive (or negative) reinforcement is likely to have limited impact if it is not linked to an individual's needs and although individuals may hold self-regulatory skill they may not use them consistently or effectively, if they do not perceive themselves as having control over their motivation, thoughts or actions (Ferrari et al., 2010). Thus, the model highlighted that children learn to regulate their emotions, resolve disputes and engage with others not only from their experiences, but also from the way their own reactions were responded to (Ferrari et al., 2010). The socialization process was viewed as bidirectional in nature whereby children were active agents in the process (Kuczynski, 2003). Children subsequently impose their

own framework on parental influence and socialise their caregivers, modifying at least some of the beliefs and values of those caregivers (Grusec, 2011).

Behaviourists and social learning theorists focused on parental behaviours and viewed differences in children's development as a reflection of the different learning environments they were exposed to (Darling and Steinberg, 1993). The nature of the child and parental goals and beliefs are viewed as critical determinants of parental practices (Darling & Steinberg, 1993).

Parenting Styles

The emphasis on parental control and parent-created emotional climates by behavioural theorists led to researchers developing interest in specific parental styles and/or behaviours that shape children in socially desirable ways (Teti & Candelaria, 2002). Focus subsequently shifted to exploring links between developmental outcomes and particular parenting styles (Teti & Candelaria, 2002). Diana Baumrind conducted research into parenting styles and was informed by naturalistic observations between parents and children (Asmussen, 2011). Baumrind developed a theoretical model that combined the behavioural and emotional processes that underlay previous models of socialisation (Darling & Steinberg, 1993). Baumrind (1978) viewed parenting style as configurational in nature and took into account four parenting dimensions: control, clarity of communication, maturity demands and nurturance. Control referred to attempts by parents to integrate children into the family and society by demanding behavioural compliance. Clarity of communication reflected the degree to which parents' were willing to communicate with their children, encourage their opinions and use reasoning to facilitate desired behaviour. Maturity demands was defined as parental expectations that were directly relayed to children to enable them to function at a level that is consistent with their

developmental stage. And finally nurturance related to parental willingness to express approval, warmth, concern, involvement and pleasure in parenting. Baumrind used parental interviews and observations to explore the pattern of parental behaviour across the aforementioned dimensions (Teti & Candelaria, 2002). Baumrind (1978) identified three major parenting styles: authoritarian, permissive and authoritative.

Authoritarian parenting style was classified by high levels of control and maturity demands with low levels of clarity of communication and nurturance (Baumrind, 1978). Parents within this classification expected absolute obedience and transgressions were most likely resolved by strong punitive measures (Santrock, 2004). Parent beliefs/opinions were viewed as final and reciprocal dialogue was not encouraged (Santrock, 2004). Acceptance, involvement and autonomy granting is low (Baumrind, 2005). Authoritarian parents were described as cold and rejecting who typically held excessively high expectations that were not in line with the child's developing capacities (Baumrind, 2005).

The permissive parenting style was identified by high levels of nurturance and clarity of communication, and low levels of maturity demands and control (Baumrind, 1978). Permissive parents tended to provide a significant amount of autonomy to children to choose activities, were highly supportive and accepting of their children's behaviour and made limited effort to exercise control (Baumrind, 2005). Typically these parents actively gained the child's opinion regarding household regulations and rules at an age that children were not yet capable of doing so (Santrock, 2004). Permissive parents were described as warm and accepting but uninvolved (Baumrind, 2005).

The authoritative parenting style was characterised by high levels of nurturance, control, maturity demands and clarity of communication with these

parents setting clear standards of conduct and applying firm control (Baumrind, 1978). Although authoritative parents are open to incorporating and acknowledging the child's perspective in disciplinary matters, it is done within limits that are determined by the parent (Baumrind, 2005). Furthermore, discipline typically combined control and reasoning without severe punitive measures and was consistent with established standards of conduct (Santrock, 2004). Authoritative parents were observed to be warm, attentive, and sensitive to their child's needs (Baumrind, 2005). This style of parenting established an emotionally fulfilling and enjoyable parent-child connection and fostered a close connection (Baumrind, 2005). Children are provided with appropriate autonomy granting and are encouraged to express their thoughts, desires and feelings (Santrock, 2004).

Baumrind's parenting typology has been extensively investigated and has been highly influential in the field of child development (Darling & Steinberg, 1993; Teti & Candelaria, 2002). Furthermore, it enhanced the focus for research on parenting and has formed the basis of more contemporary theories. Maccoby and Martin (1983 cited in Maccoby, 1992) extended on Baumrind's model and included a second type of permissive parenting called permissive-neglectful. In contrast to Baumrind's permissive parent category the permissive-neglectful parents tended to physically and emotionally disengage from their children and offered limited monitoring and support (Maccoby, 1992). These parents were often overwhelmed by life stress and subsequently have little time or energy for children (Baumrind, 2005). Although these parents may respond to immediate demands for easily accessible objects they do not implement strategies to promote long-term goals, such as providing guidance about appropriate choices and enforcing rules for social behaviour (Baumrind, 2005). At its

extreme this form of parenting is viewed as a form of child maltreatment (neglect) and if it begins early can disrupt all aspects of development (Baumrind, 2005).

The findings made by Maccoby and Martin have since also been replicated by Baumrind with data highlighting that in general some kind of parental involvement with children (even if poor in quality) is better than none (Teti & Candelaria, 2002).

Exploration into parent typology has facilitated interest into better understanding the processes by which parents influence their children's development by distinguishing between parent practices and parenting style (Shorey & Snyder, 2006). An integrative model proposed by Darling and Steinberg (1993) defined parenting practices as behaviours that are adopted to achieve specific socialisation goals. For example if development of adolescent self-esteem is the goal, then it was proposed that parental practices such as showing interest in children's activities would promote positive self-esteem than parents who do not (Darling & Steinberg, 1993). Thus, different parenting practices are considered more or less important depending on the developmental outcome of interest (Darling & Steinberg, 1993). Parenting style on the other hand was described as the emotional climate that is created in which parent behaviours are expressed (Darling & Steinberg, 1993). It was viewed as a constellation of attitudes communicated to the child that is influenced by the parents' goals and values (Darling & Steinberg, 1993). These behaviours comprise of both parenting practices and other parent-child interactions that communicate emotional attitude but are not goal directed such as: inattention, voice and body language (Darling & Steinberg, 1993). Parenting style was hypothesised to indirectly influence child development and affect a parent's capacity to socialise their children by altering the effectiveness of their parenting practices (Darling & Steinberg, 1993). Therefore, parenting style was considered a contextual variable that moderated the influence of

parenting practices by both impacting on the nature of the parent-child interaction and by influencing the child's openness to parental involvement (Darling & Steinberg, 1993).

Delineating parenting styles from parental practices have been helpful to extending current understanding of parental influence (Lee, Daniels, & Kissinger, 2006). Current models suggest that the extent to which children manifest behavioural or psychological characteristics varies as a function of: (a) the extent to which the practices used by the parents correlate with that specific outcome and (b) the effectiveness of the style used by the parents to influence the child (Darling & Steinberg, 1993). Thus, socialisation techniques must take into account direct and indirect parental influences on child outcomes.

Parenting and Child Developmental Outcomes

The quality of parent-child relationships has been associated with a wide variety of child outcomes. There is a plethora of research conducted in the area and in order to be concise a summary of key findings is provided below.

Aggression and delinquency.

Associations between parent-child relationship quality and antisocial behaviour are a highly researched area (O'Connor & Scott, 2007). There appears to be consensus between numerous types of studies (including large-scale epidemiological investigations, intensive clinical investigations and naturalistic studies) and various samples using a mixture of methods (Denham et al., 2000; Dodge, Pettit, Bates, & Valente, 1995; Dunn, Deater-Deckard, Pickering, O'Connor, & Golding, 1998; Gardner, Sonuga-Barke, & Sayal, 1999; Greenberg, Siegel, & Leitch, 1983; Hetherington et al., 1999; Kilgore, Snyder, & Lentz, 2000; Lyons-Ruth, 1996;

Patterson, 1996; Steinberg, Fletcher, & Darling, 1994a). A notable issue when attempting to ascertain links within the area is the varying definitions used for example observational behaviour, disruptive behaviour in school, parent reports, peer reports and police records of criminality. Each of the aforementioned or the generic term of externalising behaviour is differently important however there is little uncertainty that each is still associated with parent-child relationships. Difficulties also emerge from this research given that the effects of parenting techniques are moderated by other factors including features of the child and the situation (Grusec, 2012). Modern research has suggested that the impact of parenting is misleading unless a wide variety of variables have been taken into account relating to the child and the situation (Grusec, 2012).

In the majority of cases, it has been observed that a number of different dimensions of parent-child relationships are independently associated with disturbance (Fletcher, Steinberg, & Williams-Wheeler, 2004; Kerr & Stattin, 2000). Parenting dimensions that have been found to be important include warmth, monitoring, and control. Parental warmth and negativity have been identified as having a role with developmental researchers proposing that high levels of warmth promote children's conflict resolution skills and improve their interpersonal relationships (Eisenberg & Valiente, 2002). Generally, aggressive children are differentiated from those with low levels of problematic behaviour by low levels of warmth and high parental anger or hostility (Coie & Dodge, 1998; Denham et al., 2000; Stormshak et al., 2000). A longitudinal study completed by Booth, Rosen-Krasnor, McKinnon, and Rubin (1994) found that parental negativity was associated with behaviour problems. Such that maternal warmth assessed when the children were

four years of age was negatively related to externalising problems in the children four years later.

Studies that have focused on monitoring show that knowledgeable parents who are aware of their children's whereabouts and activities are more successful at promoting positive child behaviour (Grusec, 2012). It is assumed that monitoring facilitates parents to employ appropriate punishment and reinforcement contingencies and protect their children from deviant peer groups (Grusec, 2012). Kerr and Stattin (2000) highlighted that parental monitoring is typically conceptualised as tracking and surveillance, whilst it is operationalised as knowledge of daily activities. The study separated surveillance from children's spontaneous disclosures and found that the most powerful predictor of positive adolescent outcomes was the willingness of children to inform their parents of their activities. Tracking and surveillance by parents only predicted positive adjustment when a child's feeling of being controlled was removed. Thus, children who felt controlled by their parents monitoring tended to score highly on indices of maladjustment. These results have then suggested that open communication in parent-child relationships promote internalisation of values more than strict monitoring.

In relation to behavioural control a number of researchers have proposed that physical discipline (such as hitting) influence the development of aggression through modelling and/or escape conditioning (Eisenberg & Valiente, 2002). Patterson (1997) found that contingent (effective) punishment is a substantial positive predictor of compliant behaviour, conversely abusive or explosive punishment was a significant negative predictor. Steinberg (1990) defined behavioural control as the level of parental monitoring and limit setting. Studies show that behavioural control is negatively associated with externalizing behaviours such as delinquency and

aggression (Barber, 1996; Barber, Olsen, & Shagle, 1994; Dornbusch et al., 1985; Gray & Steinberg, 1999). A longitudinal study completed by Henry, Capsi, Moffitt and Silva (1996) demonstrated that poor parenting in early life was related to a two-fold increase in delinquent behaviour and was a crucial predictor of delinquent behaviour among children that were considered to have an irritable temperament. Thus, in the majority of research there appears to be a connection between poor parenting environment and antisocial related outcomes.

Cognitive and educational outcome.

It has been suggested by numerous cognitive theorists that the parent–child relationship forms a fundamental environmental context that scaffolds the child’s developing cognitive abilities (Rogoff and Lave, 1984). As stated previously, research has proposed that parents who are sensitively tuned to their child’s cognitive ability are more likely to create the most favourable environment for the child to learn and stimulates the child’s own motivation (Rogoff, Malkin, & Gilbride, 1984). Studies involving older children and adolescents reveal that parents have the capacity to shape aspirations and motivation by providing and selecting opportunities for the children, acting as role models and setting expectations (Bell, Allen, Hauser & O’Connor, 1996; Gutman and Eccles, 1999; Jodl, Michael, Malanchuk, Eccles, & Sameroff, 2001; Mortimer & Kumka, 1982). There is a significant amount of research that links academic outcomes to parent–child relationships and more specifically parenting styles. Authoritative parenting has consistently been associated with higher school achievement than the other parenting styles (Glasgow, Dornbusch, Troyer, Steinberg & Ritter, 1997; Stevenson & Lee, 1990). Authoritative parents have greater involvement in their children’s education and demonstrate high levels of supervision, acceptance and autonomy granting that facilitates higher levels of school achievement

and engagement in children (Baumrind, 1991; Brody, Dorsey, Forehand, & Armistead, 2002; Connell, Spencer, & Aber, 1994; Steinberg, Lamborn, Dornbusch, & Darling, 1992). On the contrary, lower levels of academic performance have been related to authoritarian and permissive parenting styles (Dornbusch, Ritter, Leiderman, Roberts, & Fraleigh, 1987; Pittman & Chase-Lansdale, 2001). Parental involvement is an area that has been researched more specifically and has continued to be a factor that directly links to academic achievement. Desforges and Abouchaar (2003) have suggested that children's reading ability is related to the reading environment they receive and is independent of parental intelligence or education. Additionally, parental involvement with the child's school has been associated with a child's academic achievement (Booth & Dunn, 1996). This branch of research has prompted a movement to improve home and school links as a means of improving children's educational outcomes. From an attachment perspective, a secure attachment in childhood has been associated with academic achievement in secondary school (Feldman, Gutfreund, & Yerushalmi, 1998).

Morality and social responsibility.

Theoretically and empirically there is evidence supporting the conclusion that parents play an important role in their children's moral development (Eisenberg & Valiente, 2002). This is expected given that children learn about relationships and ways of treating people in the family context (Eisenberg & Valiente, 2002). The process of moral socialization is complex with parent-child interactions evolving in line with the characteristics and behaviours of both participants (Eisenberg & Valiente, 2002). Research has suggested that moral children tend to have parents that are warm and supportive, encourage children to learn about others' perspectives and feelings, use inductive discipline, and involve children in family decision making

(Eisenberg & Valiente, 2002). The configuration of these behaviours appears to facilitate the development of care and concern about others and create positive parent-child relationships that children are invested in maintaining (Eisenberg & Valiente, 2002). Adopting an authoritative parenting style (which encompasses the aforementioned) ensures that children are aware of what is expected of them and why and therefore promotes an internal sense of morality (Eisenberg & Valiente, 2002). A study by Krevans and Gibbs (1996) concluded that greater child empathy is obtained by the link between a form of reasoning that leads children to consider how their behaviour impacts on others and increased pro-social responding. Goodnow (1997) highlighted the importance of everyday routines as a source of information about values. For example, Goodnow stated that parents who wished to instil a principle of helping others could include volunteer work as a regular part of family life. Research with adolescents has highlighted that parents who model high standards of behaviour and clearly communicate their expectations within an atmosphere that is warm and loving tend to have adolescents who engage in higher levels of moral reasoning and maintain pro-social values (Eisenberg, 1990; Eisenberg, Morris, McDaniel, & Spinrad, 2004; Grotevant & Cooper, 1998; Walker, Hennig, & Krettenauer, 2000; Walker & Taylor, 1991).

Self-esteem.

The development of a positive self-view has been viewed as a critical developmental task (O'Connor & Scott, 2007). An issue experienced when conducting research into this area is uncertainty regarding how best to define and measure self-esteem and related concepts (Emler, 2001). In general however it has been concluded that a child's view of him or herself appears to be consistently associated with the quality of parent-child relationships (Grotevant & Cooper, 1985).

Attachment theory emphasises the importance of a responsive and nurturing parental bond that offers the developing child with security, attachment, and guidance but also provides opportunities to practice separation and independence (Collins & Read, 1990; Mallinckrodt, 1992). An absence of these qualities renders the child unable to develop a positive sense of self, and as an adult they may be dependent on relations with others to fill a void created by these early developmental wounds (Feeney & Noller, 1990; Mallinckrodt, 1992). Thus, emotional responsiveness and encouragement of independence are crucial for the development of adult self-concept (Mallinckrodt, 1992). Enabling young people to contribute to family decisions has been found to facilitate their sense of value and consequently resulted in them rating themselves higher on standardised assessments of self-esteem (Buri, Louiselle, Misukanis, & Mueller, 1988). Conversely, adolescents who perceive their parents as authoritarian tend to rate themselves lower on self-esteem assessments relative to others. Collins and Read (1990) found that adults who expressed increased willingness to depend on others to meet their emotional needs and were less anxious about being abandoned in relationships, typically described their parents as warm and accepting. On the other hand those who described their mothers as inconsistent or cold had lower self-worth and social confidence.

Less risk to mental health problems.

Parent-child relationships have been found to be influential in a child's risk of developing psychological problems (Kendlar, Sham, & MacLean, 1997). The association has been acquired from large-scale clinical and normative developmental studies and has been demonstrated across a range of samples and diverse methods (Dadds, Barrett, Rapee, & Ryan, 1996; Garber, Little, Hilsman, & Weaver, 1998; Wood, McLeod, Sigman, Hwang, & Chu, 2003). There is increasing evidence that

there is no single dimension of parent-child relationships that contributes to individual variation in internalising symptoms (O'Connor & Scott, 2007). Depression and anxiety has been reliably linked to both warmth and conflict (O'Connor & Scott, 2007). A number of studies have also proposed that internalising behaviours in children are associated with parenting styles (Garber & Flynn, 2001; Hammen, 1992; Lewinsohn, Rohde, & Seeley, 1998). Psychological control and parental overprotection that characterises the authoritarian parenting style has most consistently been found to be associated with young people's anxious behaviours, internalising problems and social incompetence (Rapee, 1997; Rubin, Burgess, & Hastings, 2002; Steinhausen, Bosiger, & Metzke, 2006). Conversely, features of authoritative parents including support, encouragement of autonomy and sensitivity have been linked to fewer levels of psychopathology and social difficulty (Chen, Hastings, Rubin, Chen, Cen, & Stewart, 1998; Kuczynski & Kochanska; 1995).

Greater resistance to peer pressure.

Numerous studies have found that relationship quality with peers can be predicted concurrently and longitudinally by the quality of child-parent attachment in infancy and early childhood (Cassidy, Kirsh, Scolton, & Parke, 1996; Moss, Rousseau, Parent, St-Laurant, & Saintonge, 1998; Sroufe, Egeland, & Carlson, 1999). Generally, children with a secure attachment with their parents were more likely to be rated as popular by their peers and as having more pro-social skills compared to children who had an insecure attachment (Greenberg, Siegel, & Leitch, 1983; Lieberman, Doyle, & Markiewicz, 1999). Social learning theorists have also established such linkages (Dishion, 1990; Pettit, Dodge, & Brown, 1988; Putallaz, 1987; Vuchinich, Bank, & Patterson, 1992). The association between peer and parent relationships is believed to be mediated by behavioural strategies and social

cognitions that have been learned from interacting with parents (O'Connor & Scott, 2007). Additionally, the importance of parental monitoring and control in preventing children from developing affiliations with deviant peers has been highlighted by social learning researchers (Brown, Mounts, Lamborn, & Steinberg, 1993).

Furthermore, early parent–child relationships have been argued to provide the context for the development of social-cognitive capacities, such as emotional regulation, perspective taking and emotional understanding, which are carried forward to later social relationships (Carson and Parke, 1996; Dekovic & Janssens, 1992; Dunn, 1992; Parke, MacDonald, Burks, Carson, Bhvnagri, Barth, & Beitel, 1989). Positive parent-child relationships have consistently been found to moderate peer influence such that adolescents are less likely to engage in negative behaviour that is approved by their peers (Steinberg, 1986). On the contrary, adolescents with authoritarian parents typically rely on peers for advice and support. A study conducted by Fuligni and Eccles (1993) reported that young people who resided in households where they perceived their parents to be overly strict and had minimal opportunities to contribute to decision making processes, had the greatest reliance on peers. Taken together, there appears to be extensive evidence for plausible links between the quality of parent–child and peer relationships. There is however some uncertainty regarding which dimensions of the parent–child relationship are most influential and which theoretical position are most relevant. Factors such as warmth, conflict, control and monitoring have been suggested to play an important role (Asmussen, 2011). Overall, however existent models of parent–child relationships unite with the expectation that optimal parent–child relationships would be strongly linked to social competence and positive peer relationships.

Identity.

Based on attachment theory there has been suggestions that experiences in the parent–child relationship would influence what has been referred to as the ‘self-system’ (Cicchetti, 1988). Children’s internalisation of attachment experiences is viewed as shaping the way that they perceive others and expectations of how others will behave towards them (O’Connor & Scott, 2007). Although research testing this hypothesis is limited, it has been proposed that the manner in which pre-school-age children view themselves is linked with attachment experiences (Toth, Cicchetti, Macfie, Maughan, & VanMeenen, 2000). There does however appear to be more evidence relating to a broader set of cognitive ‘biases’ (positive or negative) that may possibly constitute building blocks of the sense of self (Cassidy et al., 1996; Laible & Thompson, 1998). These findings are supported by a large data set collated by Harter and Pike (1984) which concluded that children who experience supportive, warm, non-conflictual, authoritative relationships reported more positive self-concept in the areas of academics, social relationships, romantic relationships, athletics and most other areas investigated to date (Hetherington, Henderson, & Reiss, 1999; Reiss, Neiderhiser, Hetherington, & Plomin, 2000; Steinberg et al., 1994b). Parental warmth, acceptance and environments that promote expression of feelings have also been linked with fostering strong ego identity in children (Hauser, Powers, Noam, Jacobson, Weiss, & Follansbee, 1984; Powers, Hauser, Schwartz, Noam, & Jacobson, 1983).

General health and biological development.

There appears to be a number of studies that have found strong associations between quality of parent–child relationships and high-risk health behaviours, such as smoking, substance use, alcohol use and sexually risky behaviours (O’Connor &

Scott, 2007). Several large-scale paediatric surveys including one completed by Green and colleagues (1990) have shown that parents who smoke are more likely to have children who smoke. Furthermore, there is significant evidence that also suggests that alcohol use and other substances is transmitted through families (Hicks, Krueger, Iacono, McGue, & Patrick, 2004). Theories relating to social learning theory and specifically modelling are particularly relevant in this area of research. In relation to parenting styles authoritative parents that clearly communicate and maintain expectations pertaining to drug and alcohol use are significantly more likely to have adolescents that demonstrate greater overall self-control, refrain from using these substances and comply with expectations being set (Baumrind, 1991; Brody et al., 2002; Cleveland, Gibbons, Gerrard, Pomery, & Brody, 2005; Weiss & Schwarz, 1996).

A separate area of research has demonstrated links between parenting quality, the home environment and increased likelihood of physical injury or accidents (O'Connor & Scott, 2007). Schwebel and colleagues (2004) established a significant and strong association between positive parenting and fewer injuries requiring medical attention. Conversely, Bijur and colleagues (1991) found that parent-child conflict was linked with injury in adolescents. These associations have also been found in research that has investigated serious injuries/accidents (such as burns in children) and their connection to family environment and parenting (Matheny, 1986; O'Connor et al., 2000a).

In relation to health and physical development other studies have suggested that the transmission of obesity within families could be related to parenting environment, in addition to genetic and other factors (Faith et al., 2004; Jebb, Rennie, & Cole, 2004; Lake, Power, & Cole, 1997). These studies have been important to

demonstrating that the effects of parent–child relationship quality extend beyond social, educational and psychological measures (O’Connor & Scott, 2007).

Autonomy.

With regard to shared decision making, authoritative parenting has been connected to higher levels of autonomous functioning (i.e. the ability to hold and express personal views) among young people (Allen, Hauser, Bell & O’Connor, 1994; Collins & Laursen, 2004; Fuhrman & Holmbeck, 1995; Lamborn & Steinberg, 1993; Steinberg, Lamborn, Darling, Mounts, & Dornbusch, 1994b; Weiss & Schwarz, 1996).

Factors That Impact on Parenting

As demonstrated above there appears to be empirical evidence for the association between parenting styles/techniques and child outcomes. Although links are apparent, the effects found have been inconsistent and lacked size (Grusec & Goodnow, 1994; Maccoby & Martin, 1983; Rothbaum & Weisz, 1994). Furthermore, there have been prominent observations with regard to the variability between parents in how they respond to their children’s socialisation needs (Grusec & Kuczynski, 1980). This has resulted in researchers exploring other variables that differentially affect the impact of parenting strategies on child outcomes. These include child, family, environmental and socio-economic factors. There has been significant research on each variable and all components will not be discussed as it is beyond the scope of the current study. Instead those that are considered relevant to the current research are explained below.

Child characteristics.

Developmental stage.

Research has shown that parenting changes as children develop. Demick (2002) found that instruction giving; rates of information-laden speech, compared with affect-laden speech; and more passive intervention strategies to manage sibling conflict all increase with child age. Conversely, verbalisation and maternal care-giving behaviours appear to decrease as children get older (Holden & Miller, 1999).

Parents have been observed to alter their behaviour in line with developmental changes in their children (Commonwealth of Australia, 2004). For example parents will structure the environment differently as a child's motor skills develop. Furthermore, parents change their interactions and communications with children as the child's information processing skills develop (Commonwealth of Australia, 2004). Behaviour management strategies have also been found to change with parents using methods such as distraction and physical guidance when children are younger to progressing and using verbal suggestions, reasoning, and negotiation with older children (Bornstein, 2002).

A parent's ability to adjust his or her parenting consistent with the child's growth appears linked to the amount of knowledge the parent has with regard to child development (Wacharasin, Barnard & Spieker, 2003). Furthermore, parents' abilities to interact with their children impacts on children's social and cognitive development (Wacharasin et al., 2003). This area of research has focused on exploring parents' awareness of developmental milestones and the ages at which children typically acquire skills and behaviours. There appear to be consistent findings that knowledge of child development is linked with better quality parent-child interaction, improved home environment and effective child stimulation (Benasich & Brooks-Gunn, 1996;

Bradley et al., 2001; Damast, Tamis-LeMonda, & Bornstein, 1996; MacPhee, 1984; Stevens, 1984).

Effective parents therefore appear to be those who both understand their children and are able to use that understanding to accomplish developmental goals (Grusec, 2002).

Child age.

Historically there has been a significant amount of research devoted to motherhood and in comparison much less attention has been given to fatherhood (Parke, 2002). Perusal of research exploring parental involvement shows interest in the area has varied across time and has typically been linked to the moral presumptions and societal expectations of the day. Overall there appears to be some differences in the quantity of involvement for mothers and fathers (Parke, 2002). Social expectations associated with the father's role in the family have changed significantly across the last three decades (Yeung, Sandberg, Davis-Kean, & Hofferth, 2001). Early research highlighted fathers as primarily the economic provider, however as time progressed were expected to provide physical and emotional care to children as an equal partner of the mother (Goldscheider & Waite, 1991). Despite these shifts in expectations, there has been research which shows that fathers devote significantly less time than mothers to the rearing of their children (Yeung et al., 2001; Acock & Demo, 1994) however the level of parental involvement has increased relative to data collected from the 1960's to the 1980's (Lamb, Pleck, Charnov, & Levine, 1984; Pleck, 1985). It is acknowledged however that research supporting this finding has tended to be dated and interest in the area was high at the time due to shifts in societal trends including growing egalitarian attitudes, increasing education, entry of women into the labour force and second wave of the women's movement (Kelly, 1994).

A range of factors were researched in an effort to explain fathers' lesser degree of involvement with their children. Factors that have been suggested as relevant include gender role beliefs, individual characteristics of fathers, maternal employment, fathers' work hours, marital satisfaction, child characteristics, own experience of being fathered, and socioeconomic and demographic factors (De Luccie, 1996a; Parke, 2002). Studies have however been inconsistent in their findings and/or show only weak relationships between the areas investigated (Parke, 2002). Furthermore, Yeung et al. (2001) critiqued prior research on father involvement and highlighted that estimates of fathers' involvement vary widely due to studies differing in the samples they used, age groups covered and methodology employed to account for parental involvement. As a result generalization and comparison across time or age groups has been difficult.

Although there is little consistency in the findings of studies there does appear to be some evidence to suggest that fathers are most involved with younger children beyond the infancy stage, between 2 and 7 years (Brayfield, 1995; De Luccie, 1996b; McKeering & Pakenham, 2000). A number of studies have investigated the relative competencies of mothers and fathers with respect to caretaking and parenting functions (Lamb, 1997, 2000; Lamb & Goldberg, 1982). Findings show no differences in competence between mothers and fathers during the new-born period with both parents being capable of doing equally well or equally poorly. Parenting skills are said to be acquired 'on the job' by both mothers and fathers. Although fathers appear capable of caregiving they execute this behaviour less regularly than mothers (Parke, 2002).

There have been various hypotheses put forward to explain this observation. Brayfield (1995) proposed that the requirements of care for infants and young

children are at odds with the traditional male roles (e.g., changing diapers, bathing) and subsequently could attribute to why men may be less likely to be the primary caregivers for those age groups. Lamb (2000) suggested that due to mothers being 'on the job' more than fathers, they become more sensitive and attune to their children. This therefore enables mothers to be more aware of their children's characteristics and needs. Subsequently, Lamb (2000) concluded that by virtue of fathers lacking experience, they become correspondingly less sensitive to their children's needs and characteristics, which diminishes their confidence in their parenting abilities. Fathers therefore continue to defer to and relinquish responsibility to mothers and leads to mothers assuming increasing responsibility. It was therefore proposed that this process contributed to and consolidated the imbalanced distribution of parental responsibility.

Alternative explanations have suggested that older children require less direct supervision and are more able to take care of their own bodily needs which enable men to take on primary responsibility for the care of older children without their masculinity being affected by conventional standards (De Luccie, 1996b). Thus, greater involvement with older children may result from these children being more able to elicit interaction with their fathers than infants do. Cowan and Cowan (1992) posited that pregnancy and birth of a first child (in particular) create a shift toward a more traditional division of roles. This pattern is said to hold regardless of whether the initial role division between wives and husbands were equalitarian or traditional.

Fathers' involvement in childrearing has been associated with positive outcomes for their children in terms of social, emotional, and cognitive development (Cabrera, Tamis-LeMonda, Bradley, Hofferth, & Lamb, 2000; Parke, 1996; Pleck, 1997). There is however also considerable evidence that shows the impact between

fathers' and mothers' on children is comparable with little evidence that fathers make a unique contribution to children's development (Parke, 2002). Research investigating fatherhood and father involvement has historically been narrow in its approach and focused only on direct interaction between fathers and children (Lamb, 2000). It is clear that a more complete understanding is required with regard to the ways other father roles and responsibilities influence child development (Lamb, 2000). Of particular relevance are the breadwinning function and their influences on child development as mediated by the quality of their relationships with the children's mothers (Lamb, 2000).

No clear picture has emerged regarding child age and its effect on paternal involvement (Commonwealth of Australia, 2004). Research has also contradicted the above findings and indicated that both parents spend more time with their children when the children are younger and parental involvement decreases as the child develops (Collins & Russell, 1991; Pleck, 1997; Yeung et al., 2001). Thus, it may be possible that although fathers may know more about, feel more comfortable and competent with, and appear more interested in older than younger children, they may not actually spend more time with them.

Research on fathering has been criticised for adopting a deficit perspective that has worked toward exploring how fathers compare to mothers (Dollahite, Hawkins, & Brotherson, 1997). Fathering is considered multi-determined with individual, family, institutional, and cultural factors all influencing this role (Parke, 2002). The independent contribution of fathers relative to mothers remains only weakly documented and the context of social relationships within and beyond the family appear increasingly important to understanding parental roles (Parke, 2002).

Child gender.

Research exploring the effects of child gender and parental involvement has found that fathers are more interested in and more involved with their sons than their daughters (Lamb, 2000). Studies have shown that fathers tend to spend more time with boys than with girls, regardless of the children's ages (Lamb, 1981, 1997; McBride, Schoppe, & Rane, 2002; Pleck, 1997). Furthermore, fathers appear to engage in particular types of involvement with sons than with daughters, namely physical play, companionship, and achievement related activities (MacDonald & Parke, 1984; Yeung et al. 2001; Marsiglio, 1991). Barnett and Baruch (1987) reported that fathers spend more time overall with their children if they have sons, and Mammen (2011) found that girls with brothers spend more time with their fathers than girls without brothers.

Although some general conclusions have been drawn from studies investigating the association between child gender and paternal involvement (i.e. that fathers are more involved with sons than with daughters), other studies have found no differences in paternal involvement on the basis of child gender (Marsiglio, 1991; Palkovitz, 1984). Lamb (2000) concluded that beyond the variations associated with gender, no consistent ethnic, regional, or religious variations have been demonstrated in the amount of time that mothers or fathers spend with their children.

A number of theories have been proposed to explain the influence of child gender on fathering behaviour. Barnett and Baruch (1987) suggested fathers may feel a special responsibility for their sons' masculine development. It was stated that fathers may participate more with sons than with daughters in particular forms of involvement because fathers may find it easier to relate to male children given they share a larger repertoire of commonly enjoyed and familiar activities. Lundberg and

colleagues (2005; Lundberg, McLanahan, & Rose, 2007) reported that preference-based models of child gender and parental time allocation predict that increased time with a same-sex child is likely to result from factors including: enjoyment of time being spent with the child who is most like you; familiar and gender-specific parenting skills; or from the belief they are a more effective, productive parent with that child. Thus, father time is believed to be, of greater value to the healthy development of sons than daughters. Social norms were viewed as significantly contributing to these beliefs by both parents. McBride, Schoppe, and Rane (2002) reported that some fathers considered parenting sons an integral part of their identity than parenting daughters. In particular, it was proposed that fathers felt they had more discretion in the degree to which they become involved with their daughters than with their sons. Another contributing explanation offered was that the playful, sometimes rough-and-tumble style that has been found to characterize father-child interactions (Parke, 2002) could be more suited to interactions with sons than less sociable girls. McBride and colleagues (2002) attributed social expectations for the differential relationships observed between child gender and parental involvement. Given mothers are expected to assume an active role in raising their children, their levels of involvement were viewed as less open to choice, and therefore less likely to be influenced by their children's characteristics (outside temperament which was acknowledged to play a role in influencing the quality and form of this involvement). Similarly, societal expectations and standards are not applied to fathers and subsequently have afforded fathers more discretion in defining their parental roles and responsibilities (Cabrera et al., 2000; McBride et al., 2002).

Caution has been recommended when reviewing parenting influences on children's gender development and socialisation (Parke, 2002). The bidirectional

nature of parent-child interactions highlights that boys and girls are likely to act differently and as such evoke corresponding different types of behaviours from their parents (Parke, 2002). Thus, parent effects on children are not mutually exclusive with child effects on parents. In relation to activity setting, it has been reported that through experiences children develop expectations, preferences, and skills (Parke, 2002). As a result, the extent to which girls and boys have access to different opportunities (e.g. types of play, toys, social, or academic experiences) may correspond with gender differences in their intellectual and socio-emotional developments (Leaper, 2000). Finally, parenting practices vary in line with the family ecology and as such cultural and socio-economic factors influence parents' conceptions of gender and their childrearing practices (Best & Williams, 1997).

Temperament.

Temperament can be defined as the physiological basis for individual differences in self-regulation and reactivity which is genetic in nature, stable and can be shaped by experience (Rothbart & Bates, 2006). Researchers have been increasingly interested in the interactions between children's individual differences and parenting (Kiff, Lengua, & Zalewski, 2011b). Parenting has been suggested to shape children's self-regulatory and emotional characteristics (Davidov & Grusec, 2006), however those same child behaviours have also been found to elicit different parenting (Collins, Maccoby, Steinberg, Hetherington, & Bornstein, 2000; Lengua, 2006). It is this process that is proposed to result in differential child responses to parents' behaviours (Kiff et al., 2011b). Numerous studies have shown additive effects of child temperament and parenting that predict child adjustment problems (Kiff et al., 2011b). More specifically, both parenting and temperament have been found to uniquely and simultaneously contribute to children's emotional

and behavioural adjustment (Kiff et al., 2011b). Thus, suggesting a complex interplay between child temperament and parent behaviours (Kiff et al., 2011b).

Several theories have been proposed to explain how children's temperamental characteristics lead to variation in sensitivity to rearing behaviours (Kiff et al., 2011a). Generally, there appears to be support for both interactive and bidirectional relations between parenting and temperament (Kiff et al., 2011a). Transactional models propose that parenting and child temperament mutually shape each other over time (Kiff et al., 2011b). It's suggested that child development occurs through reciprocal relations whereby children influence and are influenced by the context/environment within which they grow, including parenting (Hinshaw, 2008; Wachs & Kohnstamm, 2001). Research applying this model has shown that children's behaviour problems predict more negative parenting behaviours (Caspi & Moffit, 1995; Dumas & Wekerle, 1995; Ge et al., 1996; Patterson, Reid, & Dishion, 1992; Pettit, Laird, Dodge, Bates, & Criss, 2001), and those parenting behaviours have been found to produce greater behaviour problems in children (Chamberlain & Patterson, 1995; Deater-Deckard, Dodge, Bates, & Pettit, 1996; Hill, Bush, & Roosa, 2003; Nix et al., 1999; Stormshak et al., 2000). Furthermore, children with difficult temperament or negative emotionality have been seen to shape the affective qualities of parenting and predict less maternal affection (Booth-LaForce & Oxford, 2008; Pettit & Bates, 1984) and higher maternal rejection or negativity (Bridgett et al., 2009).

The alternative interaction models of parenting and temperament suggest that the effects of parenting depend on a child's temperament, and the interactions between both contribute to the complexity observed in developmental processes (Kiff et al., 2011b). This suggests there is no uniform influence of parenting behaviours on development, and instead the degree, and possibly direction of the effect, is likely to

vary based on children's characteristics (Kiff et al., 2011b). Belsky and colleagues (1997, 2005; Belsky, Bakermans-Kranenburg, & van Ijzendoorn, 2007; Belsky & Pluess, 2009) proposed that individual child characteristics such as reactivity, could both positively and negatively increase their responsiveness to parenting. More specifically, highly reactive children are likely to thrive in response to positive parenting and struggle in response to negative parenting. Temperament therefore serves as a protective or risk factor, which alters the effect of parenting on development (Kiff et al., 2011b).

Following the plethora of research exploring parenting-temperament interactions it has been concluded that children's individuality needs to be highly considered and parent behaviours need to adapt to them given that individual children may differ in their responses to similar patterns of parenting (Putnam, Sanson, & Rothbart, 2002). This then requires parents to be attentive to the signals produced by the child concerning their emotional state and needs (Putnam et al., 2002).

Additionally, there are some temperament characteristics that are likely to pose more parenting challenges than others (Putnam et al., 2002).

Support network.

Grandparents.

The influence grandparents can have on parenting practices are classified as direct and indirect (Smith & Drew, 2002). Indirect influence is provided through the intergenerational transmission of attitudes and behaviours and offering emotional support to parents (Smith & Drew 2002). Some of the literature exploring indirect influences of grandparents has been within the domain of attachment theory and focused on the concept of internal working models of relationships. Research has indicated that grandmother–mother–infant triads have compatible attachment

classifications (Benoit & Parker, 1994; van IJzendoorn, 1995). Other studies have investigated transmission of more general qualities such as autonomy, depression, warmth, and aggression (Smith & Drew, 2002). Modest relations have been found between mother-grandmother and mother-child interactions, such that mothers tended to be more flexible, warm and supportive with their children when they had autonomous relationships with grandmothers (Wakschlag, Chase-Landsdale, & Brooks-Gunn, 1996). Additionally, families in which both the parent and grandparent were depressed, grandchildren were at high risk of anxiety or some other form of psychopathology (Warner, Weissman, Mufson, & Wickramatne, 1999). In addition, several studies have shown that the use of physical aggression and punishment in one generation predicts the use of similar techniques in the generation to follow (Smith & Drew, 2002).

Direct influence can be via giving gifts, being a confidant or companion, acting as a support or buffer at times of family stress, as a caregiver or surrogate parent, and passing on traditions (Smith & Drew, 2002; Tinsley & Parke, 1987). Eisenberg (1988) reported that grandchildren identified grandparents as providing a sense of family, imparting family history, playing games, going on trips, making you feel good, going on trips, giving personal advice and being someone to talk to. Smith (2005) noted that grandparents often do not have a parental authority role and subsequently can act as a confidant for older children who may not wish to confide in a parent. Also, given grandparents hold the most information in relation to family history, they can provide a sense of continuity in family traditions that may be of interest to grandchildren as they get older. Dellmann-Jenkins, Blankemeyer and Olesh (2002) reported that traditionally a grandparent's role has involved pleasure without responsibility. Changes in societal values and life expectancy have resulted in this

detached grandparent role becoming less common with them having increased involvement in childrearing (Smith & Drew, 2002). Jendrek (1994) identified three levels of direct grandparent-grandchild relationships: temporary childcare, which involves the grandchild going to the grandparent's house; co-resident grandparenting, in which the grandchild lives with the grandparents in a three-generation household; and the grandparent-maintained household, in which the grandparents solely cared for grandchildren. Research has shown that grandparents can act as a source of secure attachment for young children and be a positive influence by modelling roles of nurturance and cooperation (Hodgson, 1992; Oyserman, Radin, & Benn, 1993).

The level of involvement of grandparents has been associated with proximity, grandparent gender and age and their relationship to the child (Creasey & Koblewski, 1991; Hodgson, 1992; Kennedy, 1991; Mueller & Elder, 2003; Somary & Stricker, 1998; Thomas, Sperry, & Yarbrough, 2000). In most studies, being relatively younger and healthy, living close to grandchildren, and being a grandmother (particularly maternal grandmother), all predict greater contact (Smith & Drew, 2002). Furthermore, grandparent involvement can vary according to cultural background (Thomas et al., 2000). For example, in China it is highly common for grandparents to live in three-generation households and to have very close family ties (Shu, 1999 as cited in Smith & Drew, 2002). Research with African-American families, have shown that the generation gap between parents and grandparents is small and subsequently has resulted in younger grandparents being highly involved with their grandchildren (Tolson & Wilson, 1990). In an Australian study by Kolar and Soriano (2000), the role that grandparents were expected to play in the transmission of cultural practices and knowledge, was recognized by Indigenous parents.

Grandparents engage in a variety of activities with grandchildren and can influence their grandchildren's development in many ways (Smith & Drew, 2002). The amount and type of contact grandchildren have with grandparents appears to mediate the influence grandparents can have (Commonwealth of Australia, 2004). Many factors contribute to the role grandparents undertake, including age, health, gender, proximity, and cultural background (Smith & Drew, 2002). Regardless, it is evident that grandparents play a significant role in childrearing and need to be considered in relation to supporting families with parenting (Commonwealth of Australia, 2004). Grandparents have the capacity to offer practical and emotional support to both children and parents and subsequently can have profound impacts on individual and family functioning.

Social support.

Children are affected by the quality and amount of social support available to parents (Cochran & Niego, 2002). Turner and Marino (1994) defined social support as information leading to one or more of the three following outcomes: 1) the feelings of being cared for; 2) the belief that one is loved, esteemed, and valued; and 3) the sense of belonging to a reciprocal network. A family is considered to be lacking social support when members perceive it as in-cohesive and lacking the emotional and physical nurturing and resources that are deemed necessary for personal growth and to deal with life's challenges (Smilkstein, 1984). Social support is a well-documented contributor to many aspects of psychological and physical health (Haber, Cohen, Lucas, & Baltes, 2007; Ozbay et al., 2007; Takizawa et al., 2006; Winemiller, Mitchell, Sutliff, & Cline, 1993).

Cochran & Niego (2002) reported that social networks affect childrearing in two distinct ways. One is through impacting on parents, by modifying their parenting

beliefs, attitudes, and behaviours as a consequence of network influences. Secondly, by network members directly impacting on children by engaging with them in face-to-face interactions and role modelling which affects their development. Social networks beyond the family household can provide parents with emotional support, childcare assistance, and advice (Cochran & Niego, 2002). Furthermore, in relation to children's development parents serve as mediators between the family and interactions between extended family, other adult members of the parent's network and age related peers (Cochran & Niego, 2002). By extending children's scope of interactions parents promote the social, emotional, and cognitive competence in children (Cochran & Niego, 2002).

Parents' perceived support has been found to strongly influence child rearing, with children from families with low social support being more likely to develop psychosocial problems (Childs et al., 1998). The formation and support of stable families is dependent on the communities in which families live in and typically families most in need of communities with good resources are the least likely to reside in them (Turner & Marino, 1994). For example single-parent households have been found to live in neighbourhoods with higher rates of welfare use, poverty, and high school failure and/or dropout (McLanahan & Sandefur, 1994). Additionally, mothers that lack support from their extended families tend to have the weakest ties to other sources of support and subsequently have reported the highest level of distress which has rendered them less emotionally available to their children (Cochran, 1991; Crittenden, 1985; Crockenberg, 1981; Tietjen, 1985).

Research indicates that children's well-being is improved when they believe they are part of a community with shared norms and values and mutual obligations (Lerner, Rothbaum, Boulos, & Castellino, 2002). Conversely, families with values

and beliefs that are incongruous with their community, are more likely to feel socially isolated and alienated and less likely to adopt conventional child-rearing practices and health habits (Lerner et al., 2002).

A source of support for many families has also been religious or spiritual communities (Ellison, 1991; Ellison, Gay, & Glass, 1989; Myers & Diener, 1995). Literature has found associations between religiosity or spirituality and positive functioning, more specifically, lower emotional distress, more life satisfaction and better perceived health (Fiala, Bjorck, & Gorsuch, 2002; Lazar & Bjorck, 2008; Willoughby, Cadigan, Burchinal, & Skinner, 2008).

Social support networks provide psychological and material resources to both children and parents (Cochran & Niego, 2002). Parenting must therefore be understood in the larger set of social and economic structures in which it is embedded (Cochran & Niego, 2002). Research indicates that poverty, lack of educational opportunity and unemployment influences the social networks of families and subsequently limits the capacity for parents and children to be supported and nurtured (Cochran & Niego, 2002).

Environmental factors.

Physical aspects of the home environment.

The role of children's home environments in shaping their development has been well researched (Bradley, 1993, 1994; Evans, 2006; Evans, Wells, & Moch, 2003). The home environment comprises of a set of conditions that are organised by a caregiver and may support or hinder the child from acquiring skills (Bradley & Caldwell, 1995). Bradley (2002) highlighted that parents need to ensure that they provide children with adequate sustenance, stimulation and structure that is tailored to the child's current needs and competencies. Sustenance referred to parenting acts and

conditions that are intended to promote biological integrity (Bradley, 2002). This requires parents to provide sufficient nutrients, shelter, and conditions to maintain health and ensure both survival and physical development (Bradley, 2002). There is a large body of research that demonstrates early nutrition and lifestyle factors have long-lasting programming effects on the risk of later obesity and non-communicable diseases, such as type 2 diabetes, hypertension and cardiovascular disease (Godfrey, Gluckman, & Hanson, 2010; Koletzko, Brands, & Demmelmair, 2011; Koletzko, Brands, Poston, Godsfrey, & Demmelmair, 2012; Ruemmele, 2011). Research has also indicated a need to protect children from pathogenic conditions such as passive cigarette smoke, exposure to heavy metals and pollutants (Alatorre et al., 2007; Evans, 2006; Ferguson, Cassells, MacAllister, & Evans, 2013).

Stimulation related to parents providing an environment that offers sensory material that adequately engages children's attention and prompts learning (Bradley, 2002). Access to a variety of both informal and formal materials for learning has been linked to children's competence and achievement (Bradley & Corwyn, 2005). Formal learning resources (such as books and manufactured toys) generally require financial resources whereas informal learning resources are items which are readily available in most home environments (Bradley & Putnick, 2012). There is substantial evidence that shows children who have limited access to age-appropriate learning materials in the home are more likely to manifest behavioural and language problems (Bradley, 1993, 1994). Studies have further noted that the provision of stimulating materials and experiences for children appears to be mediated by parents' socio-economic status and educational background (Evans, 2004; Bradley, Corwyn, Burchinal, McAdoo, & Garcia Coll, 2001).

Appropriately structuring a child's environment has been identified as essential to children's socio-emotional functioning (Bradley, 2002). Circumstances that are appraised by children as uncontrollable such as changes in day-care arrangements, residential moves, or transitions to school, result in anxiety (Lazarus, 1993). Reliable housing has been identified as critical for children's stability and security, and is essential for families to be able to establish daily routines (Ferguson et al., 2013). High levels of residential mobility have been connected with deficits in academic achievement, poorer psychological adjustment, and less socially supportive peer relationships (Adam, 2004; Jolleyman & Spencer, 2008; Oishi, 2010). Furthermore, substandard housing and high household density has been associated with increased levels of distress, higher levels of exposure to pathogenic conditions, learned helplessness, play constraints, maladaptive behaviour and lower academic competencies (Bartlett, 1999; Bradley & Putnick, 2012; Evans, 2006; Evans et al., 2003).

The environment is used by parents to help regulate the behaviour and development of children (Bradley, 2002). The goal for parents appears to be ensuring optimal fit between what the child needs and what the environment can afford the child (Bradley, 2002). Literature suggests that the social and physical environment affects parents by what it affords them in relation to opportunities and structures for constructive parenting actions (Bradley, 2002). The environment can deplete parents in terms of resources, time and the motivation to productively engage with their children and subsequently effect children's development (Bradley, 2002).

Social and economic factors.

Socioeconomic status.

Socioeconomic status (SES) has many facets and parenting has been found to differ across socio-economic strata (Hoff, Laursen, & Tardif, 2002). SES refers to an individual's, groups or family's ranking on a hierarchy in relation to its access to or control over a combination of valued commodities including power, wealth, and social status (Mueller & Parcel, 1981). Dispute exists between researchers regarding how SES must be measured and defined and has resulted in studies using different criteria for levels of SES (McLoyd, 1998). This has subsequently limited the degree to which comparisons and conclusions can be made about the relationship between SES and parenting (Bradley et al., 2001). There does however appear to be some agreement that family income, parental occupation, parental education, power, lifestyle and power are important components of SES (McLoyd, 1998). Education and occupation have been found to be stable indicators unlike income (which can change over time), and maternal education has been identified as the strongest predictor of various aspects of parenting (Bradley & Corwyn 2000; Hoff et al., 2002).

Hoff and colleagues (2002) completed a comprehensive review of the research and identified numerous ways SES has been associated with expectations parents have for children, parenting goals, different parenting practices, and the emotional relationship between parents and children. Cross-culturally higher SES mothers estimated their children would attain developmental milestones earlier and would exhibit higher capacities than lower SES mothers. In relation to parenting styles, lower SES parents demonstrated more authoritarian and punitive parenting than middle-SES parents who were higher in authoritative parenting.

The research on economic status has also shown that economic hardship results in less access to potentially enhancing experiences, less access to certain material goods and services, and greater exposure to potentially life threatening and debilitating environmental stressors such as substances, homelessness and negative role models (Duncan & Brooks-Gunn, 1997; Huston, McLoyd, & Garcia Coll, 1994; Jargowsky, 1994). For example, better educated parents tend to provide greater variety of stimulation, more organised environments, and more communication (Evans, 2004; Linver, Martin, & Brooks-Gunn, 2004; McLoyd, 1998; Sugland et al., 1995).

In relation to developmental outcomes, children of low SES families are more likely to have poor cognitive and verbal skills, experience growth retardation, inadequate neuro-behavioural development and are vulnerable to developing chronic illnesses (Bradley & Corwyn, 2000; Liaw & Brooks-Gunn, 1994; McLoyd, 1998; Koletzko et al., 2012).

Although research on parenting and child outcomes in low SES families has predominantly been negative, there has been some evidence to suggest that there may be particular family characteristics that can act as protective factors in the context of social adversity (Hoff et al., 2002). These are namely, shared values, conflict resolution, cohesion, patience, orderliness, consistency of rules, the availability of external support systems, and the presence of supportive adults (Bradley & Corwyn 2000). Furthermore, negative practices of low SES families have been considered to be adaptive responses to the demands of the environment (Kotchik & Forehand 2002). For example, the authoritarian parenting demonstrated by low SES parents that places strong restrictions on children may be protective and prevent their children from being

exposed to dangers that are present in their social and physical environment (Kotchik & Forehand 2002).

SES can have impacts on the access parents have to information, education and support (McLoyd, 1998). The effects of SES on parenting can be profound and pervasive and can result in parents having vastly different experiences (Hoff et al., 2002). Although the precise ways SES effect parenting remains unclear, parents in different socioeconomic strata tend to have different goals, create different emotional climates of childrearing and use different parenting practices.

Neighbourhood characteristics.

The majority of existent research defines neighbourhood quality by the socioeconomic profile of its population (Ferguson et al., 2013). Beyond what has already been discussed, research connecting children's cognitive and socio-emotional development to neighbourhood physical conditions are limited (Ferguson et al., 2013). Children living in poor neighbourhoods are exposed to more extreme environmental conditions (e.g. street violence) as opposed to those living in more well-off areas (McLoyd, 1998). It has been suggested that these extreme conditions significantly influence children's development (relative to genetic makeup; Bartlett, 1999; Bradley & Corwyn, 2002; Bradley et al., 2001).

Gifford & Lacombe (2006) found that parents rated their 9 to 12-year-old children as higher in psychological distress when the neighbourhood was rated as lower in physical quality. Furthermore, Galea and colleagues (2005) found associations between adult mental health (depression) and poor quality neighbourhoods, after adjusting for income, race, and neighbourhood poverty. Psychological distress has been investigated given that it is considered a central risk factor for healthy parenting (Ferguson et al., 2013).

More recently, two specific areas of neighbourhood physical environment that have received extensive attention due to the obesity epidemic are proximity to healthy food sources and access to places for physical activity (Ferguson et al., 2013). Although this research is still in its early stages, findings indicate that low SES neighbourhoods lack access to both of the aforementioned neighbourhood characteristics that are related to obesity in children (Diez Roux & Mair, 2010). Independent of SES characteristics neighbourhoods with more parks contain adults who rated greater perceived collective efficacy, which is an index that reflects greater social cohesion and social control (Cohen, Inagami, & Finch, 2008). Additionally, it has been suggested that children's psychological reactions to stressful life events are eased by proximity to outdoor nature (Wells & Evans, 2003).

The cognitive and socio-emotional development of children is significantly affected by the physical environments they experience (Ferguson et al., 2013). Reduced access to resources that could buffer the negative effects of environmental stressors has been found to partly account for the diminished cognitive functioning of children in poor neighbourhoods (McLoyd, 1998). Finally, researchers have cautioned practitioners when determining adequate functioning and noted that the functions of particular parenting behaviours need to be considered in context to which the families live (Ferguson et al., 2013).

Role of Culture

The concept of generalisation has been raised in research on parent-child relationships and child outcomes (O'Connor & Scott, 2007). More specifically the universality of existing typologies has been questioned (Azar & Cote, 2002). Behaviours associated with parenting practices and styles have been proposed to take place within defined and limited contexts and as such may have different meanings to

different cultural groups (Stewart & Bond, 2002). Culture has been described as a complex process that generally can be defined as everyday practices and beliefs that a group of individuals embody (Salkind, 2008). Culture is said to be shaped by the shared norms, values, beliefs, and language of a group of individuals (Salkind, 2008). Furthermore, it is considered to be a socially constructed concept that is dynamic, interactional, emergent, and multidimensional (Salkind, 2008).

Social-ecological models of parenting (such as Bronfenbrenner, 1979) have highlighted the importance of culture amongst other influential contextual factors. Bronfenbrenner's theory described complex layers of environment that each had an effect on a child's development. His theory stressed person-context interrelatedness and highlighted the interaction between factors relating to the child's biology, the immediate family/community environment, and the societal landscape. Culture is said to frame what children experience at home (Bradley et al., 2001). Socialization practices and childrearing goals have been found to vary from culture to culture (Garcia Coll & Pachter, 2002; Harkness & Super, 2002; Hui & Triandis, 1985). Culture is thought to shape what children have, what parents do, how children and adults spend their time, and the types of interactions between family members (Bradley et al., 2001).

Supporting children's acquisition of skills that are necessary to function adaptively in their local community is considered a universal task of parenting (Tamis-LeMonda et al., 2007). Although it has been acknowledged that parents share some of the same broad goals for their family regardless of cultural background including: the health and survival of their children, the imparting of skills for economic survival, and the encouragement of attributes valued by the culture (Kolar & Soriano, 2000), the ways in which parents transmit and achieve these goals is

believed to vary between cultural groups (Ogbu, 1981). Parents are therefore considered crucial transmitters of cultural information to their young children and it is through interactions that children learn the details of culturally appropriate behaviour (Deater-Deckard & Dodge, 1997). Children's judgments about the appropriateness of particular parental behaviour are linked to social norms (Catron & Masters, 1993) and the meaning that the child applies to the behaviour (Smetana, 2000). More specifically, the meaning a child attaches to particular parental behaviours (such as spanking) has been proposed to be based, in part, on past experiences, and their active construction of the current status of the parent-child relationship (Deater-Deckard & Dodge, 1997). Such that negative parental behaviour that is administered in the context of a cold parent-child relationship that is relatively void of parent-child warmth, is likely to have effects that are magnified; whilst parental behaviour that is considered normative in its ranges and which is administered in the context of a warm parent-child relationship, is likely to have negligible effects (Deater-Deckard & Dodge, 1997).

Differences between cultures have been most studied in the control domain, with researchers focusing on the impact of authoritarian and authoritative parenting styles across cultures (Grusec, 2011). A study conducted by Deater-Deckard, Dodge, Bates and Pettit (1996) found that physical punishment which is a practice usually associated with authoritarian rather than authoritative parenting practices, was linked to negative child outcomes for European-American children but not for African-American children. Similarly, cross-cultural studies of adults' and adolescents' reports of parenting behaviour have shown variations with some groups regarding authoritarian discipline as parental rejection, whilst in other populations it indicated parental involvement (Lau, Lew, Hau, Cheung, & Berndt, 1990; Rohner & Pettengill,

1985; Rudy & Grusec, 2006). Differences observed were attributed to the perceived normativeness of the behaviour, various meanings attached to the behaviour by the child and the value the cultural context placed on obedience, respect and self-discipline (Deater-Deckard & Dodge, 1997; Grusec, 2011).

Due to the considerable variability within cultural groups, a rough dichotomy has been used between individualistic and collectivist cultures to help organise empirical findings. Individualist cultures such as Australia and United States of America encourage and value independence, autonomy, equality with parents, and self-assertion (Grusec, 2011). Whereas, collectivist cultures such as China and Japan promote lifelong obligation to family, family harmony, restrained emotional expression, and respect for authority (see Oyserman, Coon, & Kemmelmeier, 2002, for a comprehensive review and assessment). In Western (individualistic) culture, authoritative parenting is viewed as promoting the best outcomes for children, relative to permissive and authoritarian parenting styles (Baumrind, 1991). In contrast, within Asian cultural frameworks parental authority reflects parents' caring for their child within a highly interdependent family system (Chao & Tseng, 2002). A study completed by Chao (1995) investigated the childrearing beliefs of immigrant Chinese and European American mothers. Although both groups of mothers highlighted the importance of loving the child as their first priority, contrasts were found between parenting for independent versus interdependent goals. European mothers stressed the importance of love for facilitating the child's self-esteem or positive feelings about themselves as individuals, whereas Chinese mothers stressed the importance of love for facilitating close, enduring parent-child relationships.

Research on parenting style has also demonstrated cultural differences in how the concepts of parental control and warmth are defined and ascribed (Chao & Tseng,

2002). Chao (1994) demonstrated qualitative distinctions in how the aforementioned dimensions were conceptualised by Asians and Asian Americans. Measures of parental control typically involve domination of the child or restrictiveness that are not essential features of parental control for Asians. Similarly, warmth or responsiveness measures often include a physical and emotional demonstrativeness (such as hugging and praising the child) however this did not capture the primary elements of responsiveness for Asian parents. Responsiveness within Asian parents constituted involvement and support, through their prioritization of caregiving and education for their children. Similar findings have been shown within other cultures (Dwairy, Achoui, Abouserie, & Farah, 2006; Fuligni, 1998; Leung, Lau, & Lam, 1998; Markus & Kitayama, 1991) with researchers proposing that in societies where parents are viewed to have more legitimate authority, parental control is less likely to relate to negative child outcomes and can be associated with positive adjustment.

Other areas that have shown cross-cultural differences in the way parents rear their children include the amount of physical affection shown, frequency of reading to children, reported use of physical punishment and provision of learning and play materials (Bradley et al., 2001; Bradley & Putnick, 2012; Chao, 2001; Flynn, 1998).

Acculturation and its impact on parenting.

Although an extensive amount of research has been devoted to understanding how cultural heritage and customs may influence parenting and child socialisation, limited attention has been given to parenting within cultures (Kotchick & Forehand, 2002). Research by Garcia Coll and Pachter (2002) identified issues of racial socialization and acculturation as primary influences on parenting practices and suggested that it was these processes that were likely to contribute to differences across and within particular ethnic groups. Garcia-Coll and Magnuson (1997 cited in

Chase-Lansdale, D'Angelo, & Palacios, 2007) proposed that infants and young children were primarily influenced by their parents' acculturation processes and the children's internal psychological structures and biological endowments influenced their parents' acculturation. Although current legislative criteria and practices do not appear to account for acculturation, research has found that the childrearing goals and socialization practices for minority cultures living within a dominant majority culture can be complicated, particularly if the minority culture is subjected to discrimination (Bradley et al., 2001).

Acculturation is defined as "a process of cultural and psychological change in cultural groups, families, and individuals following intercultural contact" (Berry, 2007, p. 69). Not all individuals and groups undergo acculturation in the same way and there are considerable variations in how people choose to engage in the process (Berry, 2005). Furthermore, while general acculturation could be occurring on a group level, individuals within the group will have variable degrees of participation and variable goals to achieve (Berry, 2005).

Acculturation strategies have been identified from the two primary issues all acculturating people face: 1) a preference to maintain one's identity and culture; and 2) a preference to participate in and have contact with the larger society (Berry, 2007). The behaviours and attitudes regarding these two issues can range along a continuum of positive or negative orientations (Berry, 2005).

Berry (2007) has identified four acculturation strategies that are based on the view of non-dominant ethno-cultural groups. If individuals have no desire to maintain their cultural identity and search for daily interaction with the other cultures, then the assimilation strategy is adopted. Alternatively, if value is placed on holding one's original culture and interactions with others are avoided, then the separation strategy

is used. When maintaining one's original culture while having daily interactions with other groups is important, then integration is the option. This strategy allows for a degree of cultural integrity to be maintained whilst still enabling individuals to be a part of the larger social network. Lastly, if there is limited interest or possibility in cultural maintenance (typically for reasons of enforced cultural loss), and there is minimal interest in interacting with others (typically for reasons of discrimination or exclusion), then marginalisation occurs. Integration has been identified as the path with the most adaptive value on an individual and family level (Berry, 2007). Thus, mutual accommodation is required in societies whereby there is acceptance for both groups to have the right to live as culturally different peoples (Berry, 2007).

Integration requires non-dominant groups to adopt the basic values of the larger society, while the dominant group must be open to adapting institutions (such as health and education) to better meet the needs of all the groups living in the society (Berry, 2007). Acculturating individuals can face difficulties when there are inconsistencies and conflicts between these various acculturation strategies (Berry, 2005). Acculturative stress is proposed to occur when the acculturation experiences cause problems for acculturating individuals (Berry, 2005).

The manner in which cultural traditions are imparted is dependent on a family's level of acculturation and the environment within which the family lives in (Garcia Coll & Pachter, 2002). Culture is viewed as adaptive and attitudes, beliefs and practices are typically moulded to fit within the present context (Garcia Coll & Pachter, 2002). Parents and the extended family system are believed to mediate young children's expectations and opportunities for acculturation (McGoldrick, Giordano, & Garcia-Preto, 2005). Parents decide what aspects of parenting they would prefer to uphold and those they are willing to relinquish in favour of the parental values,

practices and attitudes of the dominant culture (Garcia Coll & Pachter, 2002). Rauh, Wasserman, and Brunelli (1990) reported that the parenting attitudes of Hispanic women born in the United States closely matched those of American born African American women compared to the attitudes of Hispanic women that only recently migrated when socio-economic status was controlled. Yagmurlu and Sanson (2009) explored the relationships between the acculturation attitudes and parenting values and behaviours among Turkish mothers in Australia. Mothers whose acculturation attitudes displayed a tendency toward integrating with Australian society reported higher levels of self-direction goals and inductive reasoning and lower levels of compliance goals and obedience-demanding behaviour, all of which are dissociated from traditional Turkish child-rearing patterns.

Family acculturation level has been found to impact on parenting by influencing feeding and caregiving practices, mother-infant interaction, developmental expectations, and the role of extended family (Calzada & Eyberg, 2002; Farver & Lee-Shin, 2000; Garcia Coll & Pachter, 2002; Hill, Bush, & Roosa, 2003; Jambunathan & Counselman, 2002). Additionally, attitudes toward the dominant culture and children's and family's acculturation level significantly influence both the child's school performance, academic achievement, expectations and development of sex role, racial and ethnic identity, and self-concept (Farver, Bhadha, & Narang, 2002; Farver, Narang, & Bhadha, 2002; Farver, Xu, Bhadha, Narang, & Lieber, 2007; Sam, 2000).

Research indicates that level of acculturation can be a source of variability between and within cultural groups in relation to parenting practices and processes (Garcia Coll & Pachter, 2002). With the increase in culturally diverse societies, cross-cultural psychologists have stressed that findings from research in one culture cannot

be generalized to others and sensitivities need to increase regarding acculturation experiences and ideologies (Berry, 2005).

Summary

Legal practitioners currently determine BIC by assessing the fit between a child's needs and parenting attributes. When conducting child custody evaluations, practitioners are required to base recommendations, interpretations, and inferences on established professional standards and scientific literature. A comprehensive understanding of child development and parenting literature is critical to maintaining competent practice in the area.

It is widely accepted that the role of parents is to ensure the successful socialisation of children (Grusec, 2011; O'Connor & Scott, 2007; Teti & Candelaria, 2002; White, 2005). That is, to raise children to be healthy, independent, well-adjusted, and contributing adult participants in their social group (Teti & Candelaria, 2002). Parent-child relationships are considered the major context in which early socialization occurs (Grusec, 2011; Maccoby, 1992). Healthy child outcomes have been connected to the fit between the temperament, personality, and needs of children and the style of parenting they receive (Teti & Candelaria, 2002). In general, parents who adopt an authoritative style are more likely to have children that are: happy, creative, and cooperative; are achievement oriented; have high self-esteem; and do well socially (Denham et al., 2000; Eisenberg, Morris, McDaniel, & Spinrad, 2004; O'Connor & Scott, 2007; Steinberg, Lamborn, Dornbusch, & Darling, 1992). Authoritative parents combine warmth and affection with thoughtful and firm limit setting (Baumrind, 2005; Santrock, 2004). Furthermore, they are responsive to the needs of the child, have developmentally appropriate expectations and are flexible in their approach (Baumrind, 2005; Santrock, 2004). Successful socialisation results in

children being able to form close emotional relationships, becoming progressively more autonomous and appropriately managing their lives (Connors, 2011; Scott, 2011).

There is general agreement that the qualities a parent tends to encourage in their child are culturally determined and will differ according to the beliefs, values, and practices of their community (Garcia Coll & Pachter, 2002; Harkness & Super, 2002; Hui & Triandis, 1985). Furthermore, parenting goals are likely to differ within communities in part due to acculturation processes (Calzada & Eyberg, 2002; Farver & Lee-Shin, 2000). Parenting is considered a reciprocal process that is influenced by a number of distal (such as home environment and culture; Bradley et al., 2001; Ferguson et al., 2013) and proximal factors (such as child characteristics; Kiff et al., 2011a; McBride, Schoppe, & Rane, 2002).

Custody evaluators currently base assessment data on the aforementioned empirical literature. Community sentiments regarding BIC and what factors they believe are relevant to determinations are currently unknown. Exploration of public views would offer insight into their values and internalised norms regarding the rights of a child. Information gathered can help inform legislation and policy makers to ensure legal frameworks correspond with community views and promote the legitimacy of law within the area.

Chapter 4 The Research Process of the Current Study

Research Design and Objectives

The current study had the following objectives:

1. Explore what community members think the term “best interests” means.
2. Identify factors that community members consider important when determining BIC.
3. Build a conceptual model that reflects how community members view the BIC construct.

I used a grounded theory methodology (GTM) because it is particularly suited to studying an area in which little is known and provides a basis for further study (Chenitz & Swanson, 1986). Although a phenomenological approach could have also been adopted it was not deemed suitable because it would not have allowed for the generation of a theory to both describe and explain the construct (Creswell, 2007). GTM was originally developed by sociologists Barney Glaser and Anselm Strauss in the 1960s and has become a widely used methodology across many disciplines, including psychology (Charmaz & Henwood, 2008; Weed, 2009). Grounded theory research can be aimed at various levels of theory; a substantive theory or a higher-order formal theory (Strauss & Corbin, 1994). Several years after their collaboration, Glaser and Strauss went their separate ways resulting in modifications to the original methodology (Creswell, 2007). The Straussian version of GTM (Corbin & Strauss, 2008; Strauss & Corbin, 1990) was elected because creating a single theory was preferred and the methodology provided more structure than other versions such as the Glaserian grounded theory (Glaser & Strauss, 1967).

GTM is an interpretive approach that elicits participants' viewpoints and enables the researcher to interpret what is observed, heard or read (Strauss & Corbin, 1994). GTM emphasises theory development that is grounded in data that are systematically gathered and analysed (Strauss & Corbin, 1994). GTM procedures are aimed at identifying, developing, and relating concepts into a logical and theoretical framework that explains the phenomenon being researched (Corbin & Strauss, 2008; Strauss & Corbin, 1998).

Participants

Nineteen adults from the general residential population of Perth, Western Australia (WA), were interviewed. Data were collected from four subgroups categorised by gender and parental status: seven male parents, five male non-parents, four female parents, and three female non-parents. This approach was chosen in order to obtain comprehensive data.

Participants' ages ranged from 29 to 66 years ($M = 40.37$, $SD = 10.71$). Eight participants were Anglo-Australian and the remaining were from various other cultural backgrounds (see Table 3).

Table 3

Demographics of Participants

Participant	Gender	Ethnicity	Age	Parent
1	Female	Anglo-Australian	50	Yes
<u>2</u>	Female	Anglo-Australian	32	No
3	Female	Anglo-Australian	55	Yes
<u>4</u>	Female	Anglo-Australian	30	No
5	Female	Spanish	34	Yes
6	Male	Anglo-Australian	37	Yes
7	Male	Anglo-Australian	49	Yes
8	Male	Anglo-Australian	29	No
<u>9</u>	Male	Scottish	66	Yes
<u>10</u>	Male	Malaysian	45	Yes
11	Male	Kenyan	38	No
<u>12</u>	Male	English	53	Yes
<u>13</u>	Male	Vietnamese	37	Yes
14	Male	South African	39	No
<u>15</u>	Female	Polish	30	No
16	Male	Italian	30	No
17	Male	Indian	33	Yes
18	Male	Anglo-Australian	30	No
<u>19</u>	Female	English	50	Yes

 Participants who were interviewed a second time

Sampling Methods

Purposive, snowball and theoretical sampling were used in the current study. Purposive sampling method involves selecting participants relevant to the research questions (i.e., targeting general community members to gain their perspectives on BIC; Bryman, 2012; de Vaus, 1995; Polkinghorne, 2005). Snowball sampling involves requesting participants inform other people about the study that are known to them, in the hope that they too will participate (Bryman, 2012). The process used to get initial participants is described in the next section. Following initial interviews snowball sampling was used. As data collection and analysis progressed, theoretical sampling was used. Theoretical sampling involves targeting data collection (based on data already collected) to people, places or incidents that would add to the developing theory (Strauss & Corbin, 1990). Theoretical sampling is a sampling method that is responsive to the data and facilitates an open and flexible approach (Corbin & Strauss, 2008). For example, culture had not been raised in a number of interviews as a relevant factor when determining BIC. Given that culture has been included in legislation the researcher made effort to interview participants of various cultural backgrounds to gain their perspectives and clarify if culture is important within the current study.

Participant Recruitment

As part of purposive sampling I placed advertisements promoting the study in a variety of public places, including libraries and university buildings (see Appendix A). Interested participants were requested to contact me via telephone or email. Once I had completed 6 interviews, I snowball-sampled by sending emails to participants asking them to promote the study to individuals within their social network who might be interested in participating in the study. Participants agreed to pass on the email to others and an information sheet (see Appendix B) was attached to the email

so that potential participants were informed of the study's purpose and could email me to schedule an interview. Upon completion of 10 interviews it became evident that culture had not been mentioned as an issue by any participants. Consistent with the snowball sampling method noted above participants were emailed and advised that I was interested in specifically interviewing people from diverse cultural backgrounds. Thus, as part of theoretical sampling participants were encouraged to forward the email to individuals that fit the criteria and potential participants were informed to email me and schedule an interview.

The Interviews

I conducted 12 interviews in the participant's home, 6 in offices where participants were employed and 1 in a library meeting room. These locations were selected to ensure convenience and privacy for participants. The face-to-face interviews ranged in length from 32 minutes to 97 minutes ($M = 64$ minutes). The interviews began with the researcher explaining the project and the participant reading and completing the information sheet and consent form (see Appendix C). Participants were advised that they did not have to participate if they did not want and that they had the right to end the interview at any time. All agreed to participate and signed the consent form. Interviews were audio recorded using a digital voice recorder and participants were informed of this prior to testing. Furthermore, it was explained that confidentiality would be maintained and all audio recordings would be erased.

A semi-structured interview schedule (see Appendix D) was used that included information relating to gender, age, nationality, relationship status, parental status and prior Family Court experience. Following the aforementioned demographic questions respondents were verbally provided the following information: The best interests of a child is a legal concept that is central to decision making about children.

Participants were asked what they thought the term “best interests” means?

Participants were then verbally provided with the vignette below:

There is a mother and father who have one child. The relationship between the parents is highly conflicted and they have decided that they are going to separate.

Respondents were asked what they would consider when deciding what is right for the child. Due to the abstract nature of the BIC construct a vignette was used as a tool to provide some context for participants to draw from. Participants were not constrained by the vignette nor did the researcher return to the vignette during the interviews.

A response-guided questioning strategy was used and follow up queries that were logical extensions of the responses provided by interviewees were spontaneously generated (Travers, 2006). Prompts were used during the interview to encourage participants to expand on their initial responses (e.g. “tell me more about that” or “can you give me an example of what you are talking about?”; Maykut & Morehouse, 1994). Clarification probes were also used when the interviewer was unsure of what the interviewee was talking about or what he or she meant (e.g. “I’m not sure I understand what you mean by _____. Can you talk a little more about that?” or “I want to make sure I understand what you mean. Would you describe it for me again?”; Maykut & Morehouse, 1994). A semi-structured approach was adopted because it was more open and flexible than other forms of interviewing and provided an opportunity to document a variety of perspectives (Banister et al., 1994).

During the interview information gathered by the researcher was reflected back to participants and they were asked if their views had been accurately described. This process was to build the validity of the research and it also provided an opportunity to recognise anything that may have been missed. Time was allocated at the end of the interview for participants to debrief if they wished.

As data analysis progressed, emergent findings required follow-up interviews. Eight randomly selected participants were contacted and a second interview arranged. I conducted 6 interviews in the participant's home and 2 interviews in offices where participants were employed. The face-to-face interviews ranged from 7 to 20 minutes (M = 12 minutes). Given saturation was reached after interviewing 8 participants, data collection ceased at this point.

At the onset of the interview participants were again advised that they did not have to participate if they did not want to, and that they could terminate the interview at any time. All 8 individuals agreed to participate in the second interview. Interviews were audio recorded and participants were made aware of this prior to commencing.

The interviewer began with briefly explaining findings and showing the participants models that had been constructed that reflected all participant responses. The interviewer then invited participants to offer their perspectives on culture and the BIC construct. Consistent with initial interviews space was created for participants to speak openly on the issue. Clarification probes were used and effort was made to use open-ended questions to allow participants freedom of expression.

All individuals who participated in the research were thanked for their time and cooperation. Some participants expressed an interest in the results and a brief summary of the findings was sent out by mail or email to those individuals.

Chapter 5 Data Analysis

The primary components that constitute the Straussian GTM process includes: data collection, coding, memoing, diagramming, theoretical sampling, constant comparison, theoretical sensitising, identification of a core category and integration of theory (Strauss, 1987). Although these elements are presented below in what appears to be a sequential manner, the actual analysis process was iterative and dynamic in nature and required the researcher to go back and forth and conduct processes simultaneously at times.

Data Collection

Of the initial 19 interviews and further 8 interviews (taken from the 19) conducted I transcribed the first three interviews. Due to the length of interviews and time required to transcribe them, it was more efficient to have the remaining interviews transcribed professionally. All audio interviews were transcribed verbatim and analysed as soon as possible after each interview. Although GTM instructs researchers to analyse interview data after each interview (Corbin & Strauss, 2008), this was impossible to achieve at times when multiple interviews were conducted on the same day and delays with regard to interviews being transcribed and returned to me.

Once no new categories emerged from three consecutive interviews, I assumed thematic saturation and ceased data collection.

Coding

Each transcribed interview was read carefully to get an overall feel for the data. Coding began upon second revision of the transcript and involved line-by-line microanalysis of the data to identify words, phrases or sentences that encapsulate one

singular idea (category; Strauss & Corbin, 1998). Conceptual labels were then assigned that explained particular segments. For example, the following data were coded into the theme pertaining to the human need for a ‘sense of belonging’:

Well it's human nature because we are born in clans. We are not a species that lives individual lifestyles like let's just say a great white shark. We are definitely a species that requires interaction with our own constantly, otherwise we feel isolated and alone. (Participant 14; Male)

Open coding was used and involved generating concepts/categories that comprised of properties and dimensions. Properties are “characteristics that describe and define concepts”, while dimensions are “variations within properties that give specificity and range to concepts” (Corbin & Strauss, 2008, p. 159). For example, the concept of ‘demonstrate care and interest in the child’ was grouped under the category ‘to know they are loved’ and had properties of ‘engaging in pleasurable activities’, ‘to be communicated with’, and ‘to be responded to empathetically’.

As the analysis progressed the relationships among concepts were identified through axial coding. For example the concept of ‘teach and promote choice’ was grouped with similar concepts and placed under a subcategory of ‘fostering independent behaviour’, as they all related to how parents could foster this specific behaviour. The subcategory of ‘fostering independent behaviour’ was then placed under the major category of ‘to develop autonomy and resilience’ with other subcategories that all related to self-reliance.

Diagramming and Memoing

To assist the analysis and theory building process memos were written as a running log of analytical thinking (Corbin & Strauss, 2008). Notes were made both during and following interviews in an interview diary. Summaries of interviews and hypotheses about the concepts emergent in the data were also contained in the diary.

Memos assisted me to: sort and group concepts; keep track of thoughts and decision making; and helped with theory development and integration.

Diagrams were also used as a tool in conjunction with memos to sort and understand relationships between categories. They were visual representations of the data which prompted me to gain distance from the data in order to work with concepts and form logical relationships between them (Corbin & Strauss, 2008).

Constant Comparison

The constant comparison method supported the analysis process by comparing details within and between data, looking for similarities and differences (Corbin & Strauss, 2008). For example, I was able to get a deeper understanding of what factors contributed to maintaining a child's physical safety by comparing one participant description to another participant. Categories that were identified as conceptually similar were grouped together under higher-level descriptive categories. For example, I was able to deduce that emotional safety fulfilled two separate higher order human needs namely, safety and stability by comparing participant responses.

Theoretical Sensitivity

The function of theoretical sensitivity is to move the researcher beyond the description of a category to thinking more abstractly about the properties and dimensions of the data (Corbin & Strauss, 2008). The techniques used in the current study were: the flip flop technique which required me to explore the opposite or extreme range of a concept to reveal its properties (e.g. I questioned factors identified by participants by considering what would occur if individual factors were absent); drawing from my personal experiences, which allowed me to gain insight into what participants were describing (e.g. I compared my experiences with acculturation with

descriptions provided by participants); and waving the red flag, which entailed challenging assumptions, beliefs or biases that originated from the participants or myself (e.g. I considered alternatives to responses provided).

This helped me clarify and understand categories that were initially obscure (Strauss and Corbin, 2008). For example during initial interviews a concept raised was confidence and through further exploration in following interviews and using the flip flop technique it became evident that confidence was a part of a higher order need namely, autonomy and resilience.

Core Category and Integration of Theory

Theory integration involved identifying the core category which GTM described as the overarching theme that emerged from the data (Corbin & Strauss, 2008; Strauss & Corbin, 1990). All other identified categories must be able to be placed under this one category and in combination they form the framework of a theory that clarifies the essence of the study (Corbin & Strauss, 2008; Strauss & Corbin, 1990). Due to the consistency among participant responses identifying the core category was uncomplicated.

A theory was then generated by demonstrating how the other categories related to the core category. This process involved rereading some interview transcripts, discussions with supervisors, the construction of numerous diagrams, sorting through memos, further memo writing, moving some concepts and categories around and renaming some concepts and categories.

Finally, selective coding was completed whereby all superfluous categories were removed and fully developed categories retained as a means of achieving theoretical saturation. As a part of this final process a portion of participants were shown a diagram of the generated theory in order to review findings, clarify

information that appeared to be missing within the data and allow for reassessment of categories.

Participant Data Not Included in the Analysis

One participant in the second group of interviews did not provide any relevant data. The second interview required participants to discuss how they believed culture would impact on findings. When asked, this participant described himself as not having culture and stated that he was unable to comment.

I don't feel I have a culture. I don't have any traditions. I'm a migrant to Australia. I feel totally Australian so I don't feel any connection to England at all. I don't think I have a culture except for the modern day culture that we live in and I don't think that affects me at all. Because culture plays so little impact on my life, it's hard for me to offer an answer. (Participant 12; Male)

Thus, there was no relevant data that could be analysed.

Establishing Rigour

Establishing rigour is essential for the evaluation of the overall significance, relevance, impact, and utility of any completed research (Morse, Barrett, Mayan, Olson, & Spiers, 2002). Lincoln and Guba (1985) proposed a model for assessing the trustworthiness (their parallel term for rigour) and outlined four criteria when assessing data: credibility, transferability, dependability, and confirmability.

Credibility relates to the extent to which the reported findings are representative of participant values or beliefs as opposed to misinterpretation by the researcher (Krefting, 1991; Lincoln & Guba, 1985; Silverman, 2001). One suggested method to improve credibility is the use of an independent coder (Silverman, 2001). Throughout this study the development of categories, identified relationships and theory integration has been checked and refined by my supervisors. Furthermore, credibility has been enhanced through the search of negative cases (i.e. those cases

that contradict identified categories; Lincoln & Guba, 1985). Although no negative cases were found in the current study this process was used throughout the data analysis process and to allow for potential re-analysis and re-conceptualisation of categories.

Transferability refers to the extent to which findings are applicable to other settings (Krefting, 1991; Lincoln & Guba, 1985). A key factor in the transferability of data is the representativeness of the participants and data (Krefting, 1991). As the study progressed theoretical sampling was used to increase the representativeness of the data. Effort was made to ensure the sample of participants used was culturally diverse and comprised of various ages. Morse (1994) reported that the focus of qualitative data is on the amount of data collected as opposed to the number of participants. Therefore, data saturation was a means of achieving data representativeness in the current study.

Dependability relates to the consistency of the findings, that is, whether the findings would be consistent if the study was replicated with the same participants (Krefting, 1991). The dependability of the study was enhanced by providing a comprehensive description of the research process and procedures earlier in this chapter. It included: a description of sampling criteria and methods; recruitment methods; participant characteristics; materials used, methods of data collection and the process of analysis.

Finally, confirmability refers to the extent to which conclusions are verifiable by others and findings are reflective of participant responses and not of other biases, motivations or perspectives (Krefting, 1991). Confirmability was established by maintaining an audit trail, which consisted of interview transcripts; data collection and analysis; memos documenting and describing decision making related to coding,

categorizing and theory development; and diagrams that show theory development. Furthermore, interpretive rigour was demonstrated through the provision of excerpts of participants' verbatim data to enable other researchers to evaluate the interpretation of data and application of concepts and categories that contributed to the final theory development.

Chapter 6 A Grounded Theory of Community Conceptualisations of the Best Interests of the Child Principle

This chapter provides a detailed overview of the findings of the study and is divided into six sections. The first section relates to the first research question and outlines the manner in which community members defined the term “best interests”. The second section describes gender differences observed in the accounts given by male and female participants. The third section provides context within which the generated hierarchical model needs to be interpreted. In the fourth section the major categories relating to the primary needs of children that were identified by participants are outlined. The fifth section outlines integral intervening factors that were fundamental to how factors needed to be interpreted and adjusted. In the final section I present an overview and model of the grounded theory derived from an interpretive analysis of the participants’ data. The relationships between, and components of, the major and subcategories will also be provided.

Quotes from participants were used throughout this section with non-identifying information in order to preserve confidentiality. The purpose of the quotes was to provide enough relevant detail to ensure that the validity and logic of the themes derived can be understood. To improve readability, I removed non-lexical utterances such as *um*, *hmmm* and *ah*.

Participants’ Definition of the Term “Best Interests”

Being asked to define the term “best interests” initially appeared abstract to participants however offering context in the beginning of the question (i.e. The best interests of a child is a legal concept that is central to decision making about children) appeared to assist and prompt responses. All participants defined BIC as parents

effectively meeting the developmental needs of children, with the primary objective of enabling children to develop into healthy high functioning adults.

I guess I perceive it to be the factors that surround the bringing up of the child. It needs to be positive in the child's upbringing... yeah so that there are no ill effects to the child's psychological wellbeing or physical. (Participant 3; Female)

I guess what best interests is – the child is looked after number one; their wellbeing, their physical needs, mental and spiritual – they're all being looked after number one before the parents. (Participant 5; Female)

Gender Differences in Reporting

A striking feature when conducting interviews was the differences in the way males reported on the topic compared to females. My experience following interviews was that females tended to offer more complex information and demonstrated an ability to verbalise relationships between categories and give in depth feedback regarding why they believed each category was important. As a result of this impression, I revisited the data and found that females provided twice as many complex examples to illustrate their responses relative to males. Furthermore, females were more able to thoughtfully articulate the process by which a set of conditions flow and link to major categories. Information gathered from female participants made the analysis process easier and aided concept clarification and relationships between categories. Although male participants struggled to articulate details of categories and processes involved, the categories and interactions they identified were consistent with that of the females.

Context

Given the presence of culture within legislation and the absence of culture in participant responses, second interviews were conducted to understand community

views about the role of culture when determining BIC. Participants provided their thoughts regarding if/how they believe culture fits into the BIC construct.

Culture was viewed as a complex and integral factor that provided context to findings. Participants identified culture as the primary context within which the hierarchical model must be interpreted. Culture was viewed as the most influential factor that contributed to variations observed in parenting. According to participants, the major ways culture shaped parenting was via beliefs, values and actual parenting practices. Although participants reported that all parents shared broad goals such as maintaining the health of children, what caregivers considered important in relation to the needs of their children was seen as dependent on what attributes/qualities their culture valued. Participants' recognition of the importance of culture was a significant finding that governed how the hierarchical model needed to be applied and understood.

The needs are defined by the culture because at the end of the day it's all about perception and everyone has got a different way of perceiving what are the needs and someone that comes from one background might have a set of needs that they think are applicable and then someone else that hasn't had that background or has had particular needs omitted in their experience, yeah they would have a different set of what they see as needs so there is that factor and then not just the list of what they see as needs but the interpretation of that so if one of the needs is a sense of belonging, how you're going to teach and impart that on your child could be completely different from two different people that they've listed a sense of belonging as an important need – those two people could have a totally different interpretation of how that needs to be applied. (Participant 4; Female)

So I think from one culture to another the idea of what a healthy development is in terms of becoming a functioning adult may be different from one culture to another. You know, what makes us effective citizens in society to know how to work as a community and that depends on cultural beliefs of that society. (Participant 2; Female)

Participants drew a distinction between collectivist and individualistic cultures (Oyserman et al., 2002) when explaining the impact culture could have on the BIC construct. For example:

Asian kids that tend to come from more strict families have higher expectations in terms of their study habits and things. I mean they're more submissive and not as outspoken as a typical white western child. (Participant 2; Female)

Western culture think okay he's grown up being independent, he's going to get a job for himself and you don't have to care for him. We [Vietnamese] don't want to be like that. I mean if he wants to move out yes that's fine, but he can still have that connection with us. We want him to develop with us and give him all the love. We feel as an Asian culture that it's a bit cruel for him to be on his own, it's not what we generally do. (Participant 13; Male)

We'll like Asian countries they allow their kid to sleep with them and they believe when your child is ready he/she will just naturally move to their own bedroom. It's like they will develop themselves to be alone by themselves, unlike our culture [Australian] where children sleep on their own really early on. (Participant 15; Female)

Participants described an individual's connection to culture as varying along on a continuum, with those strongly attaching to their cultural heritage versus others who do not wish to maintain any cultural identity. The influence of culture was deemed dependent on a parent's placement on the aforementioned continuum, such that those who hold strong cultural identities would be more likely to impart values, beliefs and parenting practices that were consistent with their culture.

It depends how the parents – how strong they are about sticking to their culture. (Participant 9; Male)

Each culture has its own unique values so it depends on which culture you come from and how much people associate themselves with that particular culture. (Participant 10; Male)

Furthermore, when discussing migrants who have resettled into countries or regions where they are not native, participants recognised that parenting values, beliefs and practices would vary with regard to the parent's level of acculturation. The

process of acculturation was thought to depend on an individual's level of adaptability and their openness to learning the values, attitudes and behaviours associated with the new culture. All participants believed that accurately assessing the impact of culture would be complex and reliant on the aforementioned factors.

Culture has got to have a play in it and I suppose that's all dependent on how that set of parents and that child – how into their own culture they are to know how it could be affected by another culture. And then you have families that are cross-cultured, so it's really complicated. (Participant 19; Female)

For myself coming over here being from a Malaysian culture, we have taken only the good bits of the Asian and Australian culture. At first we thought that coming over here we would totally give up everything Asian and became Australian but now coming to this stage many many years later we didn't do that. (Participant 10; Male)

During their narrative, participants noted that they were responding from a western culture perspective. Participants reported adopting this viewpoint as it was assumed that the researcher's investigation related to the dominant culture within which the study was based. As such findings were considered most applicable to those from a western culture.

I got to travel to China and India and the way children develop and having to perceive their child's needs is probably different to how we perceive what our child's needs are in Australia. It's interesting. I think you can say that this model is more for western culture. I don't know if you could apply this model the same way in India or China. (Participant 15; Female)

I think that the premise here is that we assume Australian culture, not from any different cultural background. So all this is really in the context of Australian culture if you like. (Participant 10; Male)

Community Perspectives Regarding The Primary Needs of Children

The model generated reflected lay people's collective understanding of child development and what parents need to do in order to foster healthy development. All participants conceptualised the BIC construct in terms of the developmental needs of children and outlined a complex set of conditions that would elicit these. Major

categories subsequently represented the primary needs participants believed children required in order to develop into healthy well-functioning adults. Seven major categories were identified and are listed in Table 4. Interactions between major categories were identified and will be discussed later in this chapter.

Table 4

Major Categories Relating to the Needs of Children

Major Categories
1. To feel safe
2. To know they are loved
3. To have stability
4. To be nurtured to foster physical development
5. To develop competencies to live a functional life
6. To feel a sense of belonging
7. To develop autonomy and resilience

Higher order subcategories reflected factors that - in combination - elicited associated major categories. For example physical safety and emotional wellbeing were two higher order subcategories that together comprised the major category “To feel safe”. Lower order subcategories denoted the complex set of parenting practices that participants identified as collectively important to fostering the higher order needs of children. A more detailed description and explanation of major categories (primary

needs of children) and subcategories (parental practices) is provided later in the chapter.

Intervening Factors

Three factors influenced how subcategories needed to be interpreted and applied: 1) the age of the child; 2) temperament of the child and; 3) gender of the parent. Each of these factors mediated how each set of conditions needed to be adjusted and implemented in order to effectively meet the needs of children.

In relation to the age of the child, participants raised two issues. Firstly, participants reported that parenting needed to be adjusted in accordance with the age of the child. Participants conceptualised BIC as what needs to occur to foster healthy development and outcomes for children. Thus, age appropriate approaches must be adopted in order to effectively meet the primary needs of children. Secondly, participants viewed mothers as optimal primary caregivers for children who were under school age, particularly infants. Conversely, fathers were perceived to be more capable of caring for children from school age onward. Participants suggested that there was an underlying biological basis to this, with females perceived to possess innate abilities to care for young children. Fathers alternatively, were believed to be more suited to rearing older children due to their inherent ability to provide discipline.

Well I think with older children in what I've seen is the especially early teens where just one parent especially if it's just the mother, if she's on her own would find it very difficult to control these children. The father can do a pretty good job especially with older children not with little. Well I think that the mum you've got the instincts from when the baby is first born to pick up the child and really cuddle it and if you're breastfeeding and of course that part of nurturing men cannot obviously do. (Participant 1; Female)

Well young children most certainly need their mother. That's just part of nature. Mothers are nurturing. I'm not saying fathers aren't but mothers most certainly of a young child – as kids get older I would imagine round the 12/13 year mark then it's more relevant who can provide for the child better. (Participant 12; Male)

Participants also stated that the temperament of the child needed to be taken into account when determining appropriate ways of parenting children. It was suggested that parental practices needed to be adjusted to suit the particular temperament of the child. Consideration of temperament was deemed essential and potentially detrimental if parent approaches dismissed a child's unique characteristics.

Know your children. Don't put your children in the same box as every other child. He's three years old – he's supposed to act this way and do these things. Know your children. You may have a child that has a tendency for wanting to be alone and not socialise. If that is the case you need to change your parenting skills to balance it out. Every human being has strong points and weak points and if you need to recognise them. Well, don't fight it. Encourage and push the parts that will give your child a better opportunity in their future. (Participant 14; Male)

I just think some children are more sensitive than others so they've got to be treated differently. If it wasn't considered at all it just means that you don't consider the options of the way you do something. Given our child is like this, could we do it like this and what would be the best way?" Just to have a discussion and consider your options. There might be options but if you don't consider the individuality of the child you wouldn't consider different ways that you could approach the situation. (Participant 15; Female)

Finally, the gender of the parent was also highlighted as a mediating factor whereby the same sex parent was believed to have increased awareness of the developmental needs of that gender. Participants seemed to view this as an innate and intuitive ability that both genders possessed.

Well I found it difficult with the girls. Boys I could handle. The girls I found difficult. I had to temper myself a bit because I reckon I was a pretty hard man but I don't think I was that hard. Anyway I had to temper myself with the girls because they were a bit more emotional than boys. (Participant 9; Male)

When my wife and I separated the boys were teenagers and we had a strong relationship and I think it would have been more difficult for a woman to supervise two teenage boys than I imagine supervising two teenage girls and it might have been the case that it might have been more difficult for a man to supervise say two teenage girls than a woman to supervise two teenage girls. I think part of a lot of the conflict that was in the household was to do with my wife not understanding boys and worrying a lot about normal boy behaviour...

it's just the same as I think I would have difficulty understanding what a girl is going through and how they think. It's a biological thing. (Participant 12; Male)

Participant perspectives regarding the major developmental needs of children and intervening factors that guide their application are illustrated in Figure 1.

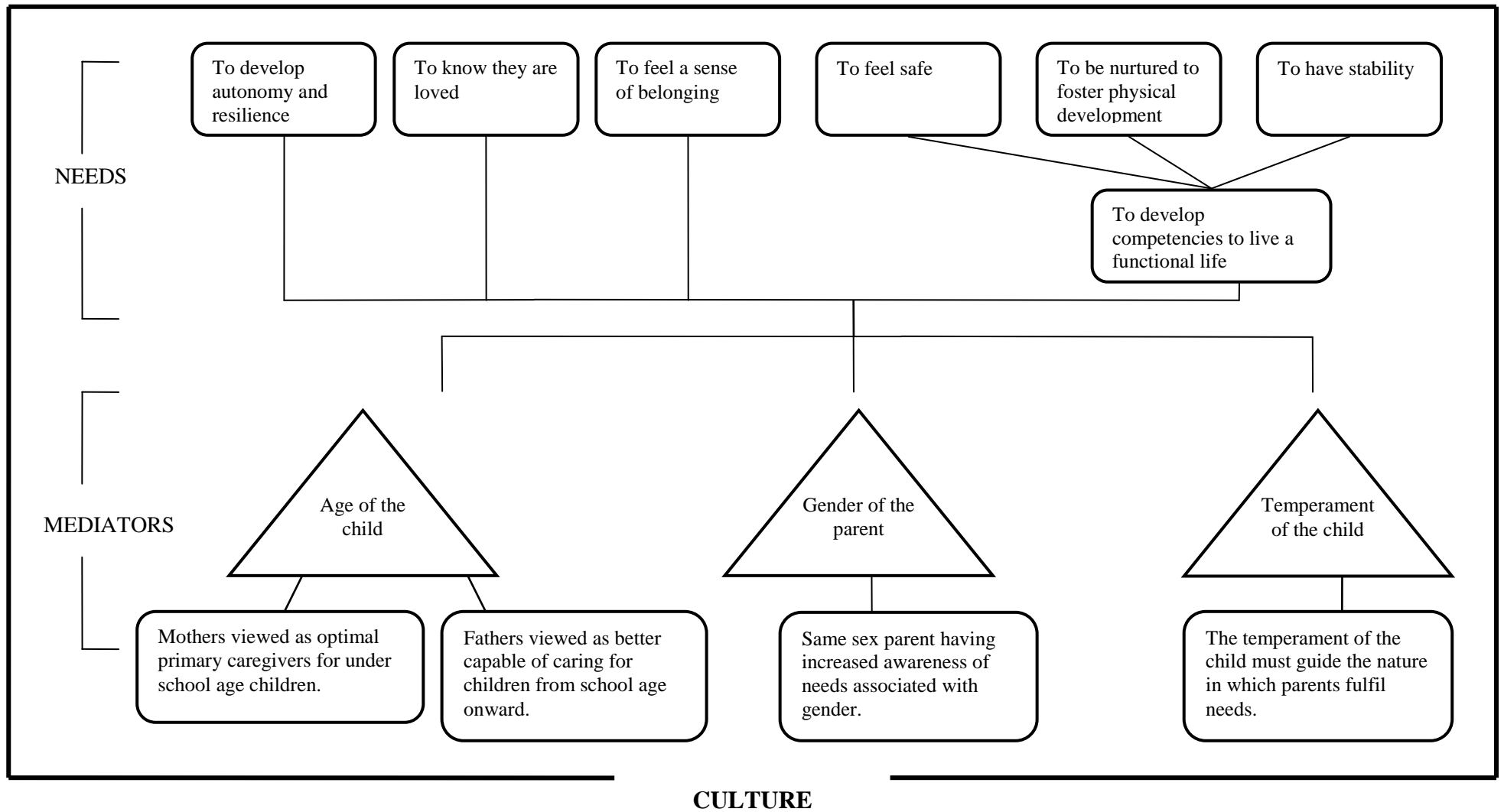


Figure 1. Major categories and intervening factors.

Major and Subcategories: Components and Relationships

Due to the complexity and interconnectedness of both major and subcategories repetition was unavoidable. The format chosen to describe the findings was deemed most appropriate to facilitate an understanding of relationships that exist within the model.

Participants identified seven primary developmental needs of children, namely: to feel safe, to have stability, to be nurtured to foster physical development, to develop competencies to live a functional life, to know they are loved, to feel a sense of belonging and to develop autonomy and resilience. Each need is explained separately below.

To feel safe.

The need for children to feel a sense of safety was a major category identified by all participants. This need had two main components specifically, physical safety and emotional wellbeing.

Physical safety.

This higher order subcategory related to maintaining a child's physical wellbeing. When discussing physical safety participants considered specific environmental factors (exposure to physical hazards, familiarity with surroundings, location of the home and exposure to antisocial behaviour) as important. Physical hazards were described as situations (in or outside the home) that could pose threat or harm a child. The age of the child was a major intervening factor that guided what sort of hazards parents needed to be mindful of. Such that the type of vulnerability children possessed was dependent on their age and corresponding development. For example mindfulness of hazards around a house was important when parenting

toddlers however antisocial peers were considered a threat that corresponded more with adolescence.

Physical safety also comes into it I don't know but depends on the age of the kid too but it could be like the electrical appliances in the house, the house needs to be wired properly so the kids don't run a risk of being electrocuted. Or that boiling hot water on a stove is not going to be left unattended, you know where the hot water could be spilt all over the child. (Participant 2; Female)

The home is what a child foresees as their safe haven and there are a lot of fairly simple factors that need to be taken into account for child safety, so safety in and around the kitchen, around the stoves, electrical appliances, harnessing in cars. If the child's young that they're actually, if they're left in a room by themselves that nothing could hurt the child, the child can't hurt themselves. (Participant 3; Female)

Enabling a child to gain familiarity with their surroundings was seen as protective and necessary to facilitating a sense of safety. In the context of separating families participants considered relocation probable and stressed that decision making must take into account the disruption and stress it may create for children.

In the house they're staying in they know the houses around, the shops around and also like the things that they would normally like to do by themselves like they know how to find things like shops, friends or a neighbour – that kind of thing helps them feel comfortable and safe. (Participant 13; Male)

For instance like with my mum's place I was familiar with when I was growing up, knowing my neighbours and people on the street, having your friends close by and just knowing your surroundings and that kind of safe – you feel you can walk out and you feel safe and you know where you are. (Participant 8; Male)

Furthermore, it was stated that the location of the home either facilitated or hampered a child's safety. Low socioeconomic areas were associated with increased antisocial behaviour which participants believed would reduce a child's ability to feel safe.

What if there are a lot of bad kids who teach them to get into drugs or alcohol and stuff so the location is quite important for the child. Even though you try

and protect the child as much as you can, you want their best interests; you don't want to put them in that neighbourhood. (Participant 13; Male)

Yeah going back to my point about people are a product of their environment so if you've got someone raised in that high socioeconomic area versus low socioeconomic area – totally different opportunities and totally different risk profiles. (Participant 17; Male)

The impact of other individuals who interact with the child was also raised by participants in the context of establishing physical safety. More specifically, with regard to how behaviours observed by the child may influence their development. This included exposure to antisocial behaviour, abuse (verbal, physical and sexual) and bullying. Participants emphasised the importance of parents and/or judicial officers being sensitive, alert and vigilant about maintaining a child's safety and wellbeing.

Safety I suppose there might be on either side there may be another partner that they don't feel not necessarily that there is any sexual interference there could just don't feel comfortable going away on weekends or trips with this other person in the background. Maybe they feel threatened for any number of reasons not necessarily sexual reasons but could be a group of outside friends they just don't feel that safe with them. I suppose if there's one of the parents say for instance if they had bad driving traits or they were alcoholics or they were drug takers they would feel threatened to be in that sort of environment. (Participant 3; Female)

Again speaking just from being a parent myself, safety for me would be needing to know where they are for the fact that they don't get themselves into situations where they might be vulnerable to sexual predators and I suppose where you could think of being actually exposed to the drugs themselves. There are all sorts of weird people around these days. (Participant 6; Male)

Bullying was a topic raised by participants with focus on the diverse ways a child's safety can be compromised as a result of multimedia. Perpetrators were not isolated to peers with bullying being viewed as a societal issue that parents needed to be informed about. Awareness of a child's behaviour and adequate monitoring was considered central to preserving a child's safety.

Parents need to monitor who comes into the home. What they watch on TV; what they access on the internet and that gets more important as they get older. You've got to monitor who they're having contact with and what sites they're accessing. You know they could be accessing porn images or being bullied. (Participant 5; Female)

Emotional wellbeing.

Participants believed that the emotional wellbeing of children was derived from creating both a safe and stable environment. Both primary needs (to feel safe and to have stability) were linked with regard to what subcategories participants identified as necessary to fulfilling them. Although participants conceptualised stability and safety as two distinct needs of children they stated that both could be met by parents implementing routines, boundaries and making active efforts to reduce any disruption in a child's life.

Participants highlighted the importance of maintaining routines to provide children with predictability and in turn a sense of safety and stability. Routines related to day to day activities that were repetitive and consistent in nature.

Yeah I think children like to have parameters. I think they like to know what happens every day and I don't think that the average child likes to have too much movement from those parameters. I think they need to know this is my dwelling, this is what I do in the morning when I get up, this is where I go to school, this is who I see in the morning, these are my friends that I visit. (Participant 3; Female)

Structure gives them stability and from a young age children need to know that they will be looked after and they will be cared for and they can trust the lifestyle of their parents. If a parent's behaviour is erratic then that's not very comforting to them. They need to see that the person is someone they can trust who has got set routines. (Participant 4; Female)

Boundaries were described as vital to instilling safety and stability in children. They were described as rules and expectations that parents needed to clearly establish with children which also encouraged pro-social behaviour. In the absence of

boundaries children were believed to lack safety due to the uncertainty attached to their environment and the lack of clarity regarding limits of their behaviour.

[Parents] also need to be able to enforce boundaries and be able to teach them what's right and wrong and provide appropriate guidance to them in life. The boundaries bit again for kids help them to feel safe and secure they need to have firm boundaries because kids will naturally push boundaries as far as they can push them that's just natural human instinct. But again for them to function well within society and be a good community member they need to be able to abide by rules. So they need to have the boundaries put in place so they learn what's right and wrong. (Participant 2; Female)

Well I think rules are important from right when you're born. I think if you don't have rules set then how do you know how you are expected to behave? How do you know what's right and wrong? Yeah I'm a very firm believer in rules for all situations I think it makes them much more well-mannered. I think it makes them feel safe and secure, in that they also know how they are expected to behave. (Participant 17; Male)

Regular movement (transient lifestyle) and disruption to routines was deemed detrimental to a child's emotional wellbeing. As stated previously, participants emphasised that active effort needed to be made by parents who are separating to reduce the amount of interference and disturbance children may be required to experience. This was discussed in the context of a child's day to day living and frequency of movement between each parent's home.

Stability is not changing. If the child's life was good and the child was happy and they were in a good home and went to a good school and doing a routine life where a child progresses and matures, they should try to keep that stability as much as they can but usually with separations it doesn't occur because a lot of things change on a child so that change in stability they should be aware of how it can affect the child. (Participant 11; Male)

Providing them with a bit of security in terms of they don't have to hop in between houses and stay with relatives or stay with friends because it makes them feel there isn't anything permanent. It's going to be temporary and they could move into the next place in the next month or so, so it's creating some emotional insecurity. (Participant 13; Male)

To have stability.

As noted in the preceding section, emotional wellbeing was a component of two major categories: to have stability and to feel safe. The subcategories that were identified by participants as fundamental to both stability and safety have been described in detail above and as such will not be repeated. In summary parents implementing routines, boundaries, and making active efforts to reduce any disruption in a child's life were deemed essential to promoting a child's emotional wellbeing and fostering a sense of safety and stability.

To be nurtured to foster physical development.

This primary need related to parents meeting the basic physical needs of children for survival and body development. Participants discussed nurturance in terms of parents being able to provide children with essential physiological needs including food, clothing, sleep, shelter, medical requirements and exercise.

Nurturance was viewed as fundamental to children sustaining life and health.

Just basically being able to provide food and clothing as in anything the child needs in terms of their growth process. I don't know how to put it. So as food I would classify as anything you need if you don't have and you get to that situation you might die or something like that so if you don't eat you'll die. If you don't have your medication you'd die or something that's key to someone's life. (Participant 11; Male)

Yes the usual daily needs for survival like make sure the kids always have things they need like food, clothes, roof over their head, those kinds of things. (Participant 10; Male)

To develop competencies to live a functional life.

Participants believed children needed to develop skills/competencies to successfully function as an adult. Participants reported that a child's ability to acquire skills and knowledge from their environment was dependent and conditional on the

three previous major needs being met. Thus, a child's capacity for skill acquisition was reliant on higher order needs of safety, stability and physical development being met.

Well how can a kid learn properly if they aren't fed or don't have a house. I'm not going to care about school if I have bigger stuff to worry about. (Participant 18; Male)

Usually in my opinion when kids experience disruption in their life the first thing to fall out is usually education. They lose interest. They don't care about the work and the importance is taken away so they usually nosedive in their studies and when that happens then they limit their choices in life later on. (Participant 10; Male)

Not having the basics can lead to social problems and also their own personal problems. For example if kids don't get enough sleep at night then they can't focus at school the next day. You know they're putting their head on the desk falling asleep, they can't concentrate, they can't focus. So if they can't concentrate and they can't focus they're not going to learn. And then if they are not educated then that decreases their chances substantially of getting a decent job which will allow them to be independent, and be a functioning adult within society. (Participant 2; Female)

Participants outlined three primary ways a child develops necessary competencies. These were: school attendance, exposure to different situations and appropriate role modelling.

School attendance was considered important to developing a variety of skills including: acquisition of knowledge, promoting informed decision making, basic literacy and social skill development. Participants considered the aforementioned essential to children successfully adapting and interacting with the world.

I think education is like a training. It enables you to go in directions that you never thought you could go before and so basically all the skills that you develop along the way – it's not necessarily the subject you learn but the skills you develop along the way. So as an adult who has past education they have all these skills to function in society. (Participant 10; Male)

Other than provide them with the basic information to get on with life in terms of reading and maths and geography and all that kind of stuff so that they're

informed individuals when they grow up into society but also to give them more opportunities to figure out what's going to work for them in terms of what they want to do with their life and jobs and that kind of thing. You have to give them the information in the first place to figure out what they like and what they don't like. (Participant 15; Female)

Exposure to diverse activities and situations was deemed fundamental to a child's development of life skills, understanding their surrounding environments and fostering appropriate social interactions.

I was fortunate that I ran a successful business and we had money so we could travel but we also on weekends would go up to John Forest National Park and go for a walk or Araluen or do all sorts of other things. It's important to get out and do different things, I think that's all part of the life learning process that they need. (Participant 12; Male)

Trying and doing different things are parts of their learning. But it's not just learning but forming who they are so doing things and thinking I like that. I don't like that. They're developing ideas. It helps them and shapes them into who they are. (Participant 4; Female)

Participants considered role modelling a significant way in which children learned how to function in life and was viewed as the basis to the development of values, beliefs and morals. Parental behaviours were believed to be internalised by children and subsequently impact on a child's pathway into adulthood.

Very important as you know from kids when they're babies growing up they always try to imitate the parents and so as a parent if we're a bad role model, we have kids who would actually develop opinions which are not so positive and views which are not so positive which would then permeate later on and usually come out later on as well. (Participant 10; Male)

They're [parents] the ones who initially teach the child and the child usually looks up to the parents because they want to be like them or they want to do something similar to them and they look to them for support, both emotional support and financial support and everything else so for them, they're the main role models in the child's life. Children learn to be able to resolve their own problems in their own lives and it gives them a starting point of how to mature and develop in society, like a decent person in society. (Participant 11; Male)

The relationship between the four major categories discussed above and the corresponding parental practices are illustrated in Figure 2.1.

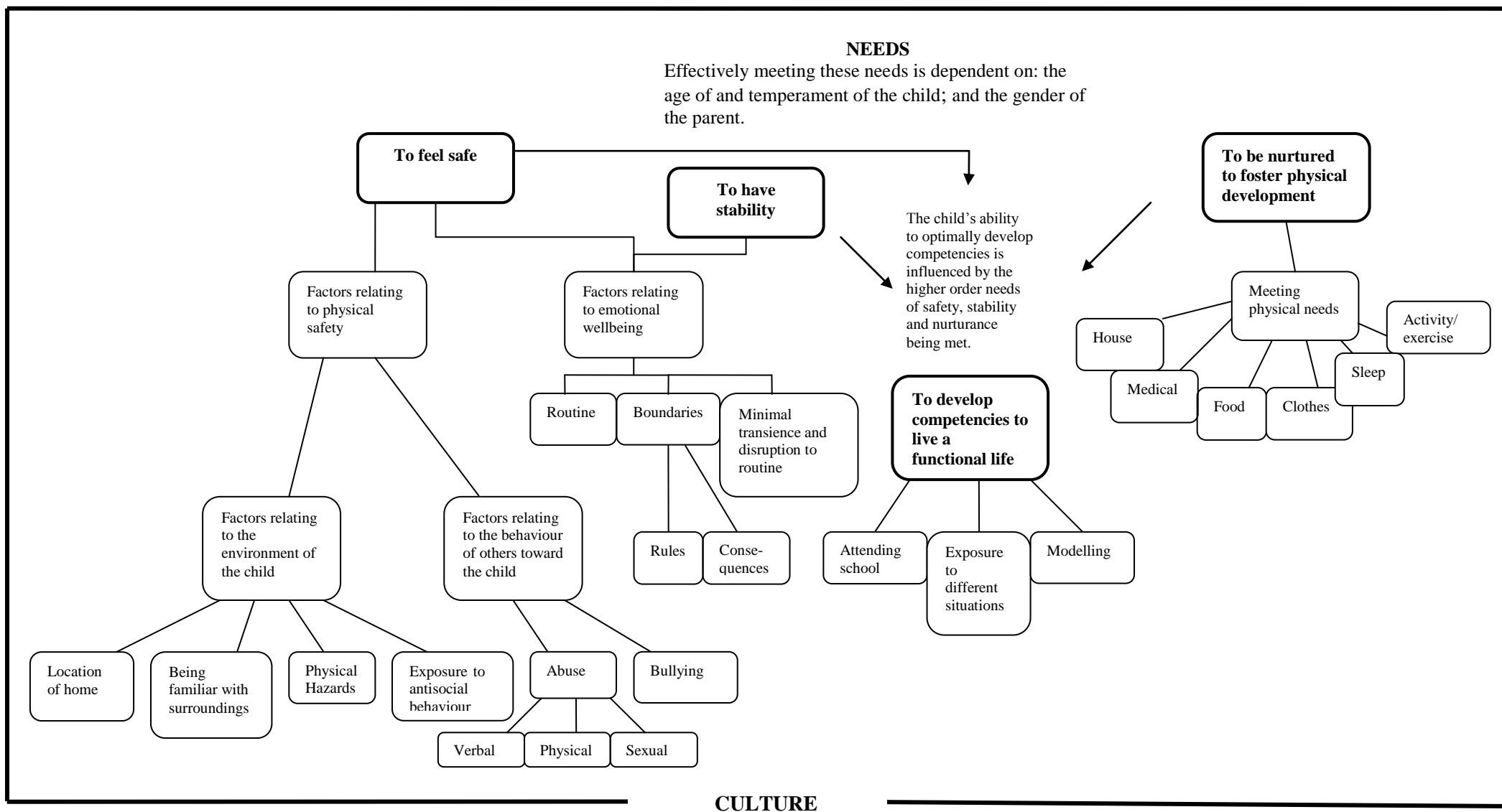


Figure 2.1. Four (safety, stability, physical development and competencies) of seven identified major developmental needs of children and the associated parental practices that foster them.

To develop autonomy and resilience.

Participants identified autonomy and resilience as essential to a child developing into a well-functioning adult. It was reported that this major need could be developed by building a child's confidence and encouraging independent behaviour. The parental practices participants believed fostered confidence versus independent behaviour were different, however in combination fulfilled a major need of autonomy and resilience.

Fostering independent behaviour.

Teaching and providing choice was highlighted as important to developing independence in children. Participants believed educating children on options available and clearly outlining associated consequences was important to them developing the ability to make informed decisions as adults. Furthermore, involving children in age appropriate decision making and allowing space for children to exercise autonomy was considered fundamental to their development.

One of the important things about growing up is learning to be able to look after yourself when your parents aren't around. That's very important. A child needs to be able to take two situations, analyse each one and make a decision. (Participant 14; Male)

It [choice] gives them the foundation for managing their own life later. It just gives them the founding principles of how you can be a mature person and you can be a productive person and how you can be an independent person and manage your life as an individual later in life and it gives them that experience of learning if you do this this happens; if you do that, that happens and taking responsibility for their own life. (Participant 11; Male)

In relation to parents promoting and encouraging choice in children, participants raised consideration of a child's wishes and thoughts as important if parents planned to separate. Participants described children as independent human

beings who actively interacted with their environment and had capacity for thoughts/opinions that needed to be considered.

Well you're ultimately trying to decide which parent that this child is to live with and that's going to have a very important impact on the life of that child so children have their own thoughts and I think you need to hear them and listen to them. (Participant 2; Female)

Encouraging responsibility taking was also viewed as essential to children developing independence. Participants believed practices such as allocating jobs/chores and teaching budgeting through the use of pocket money helped children develop into independent self-reliant individuals.

Independence is important. That was huge for me. It means I can go off and do things by myself without being afraid so I don't limit myself. Just giving them things where they have to take responsibility like you can just go down the shops and buy something for the house. (Participant 15; Female)

It helps them become adults and manage their life and learn to manage a household themselves and even running budgets because if there was a function or if there was an activity we'd set a budget and they'd have to manage the budget. If we were doing a trip they'd be involved in the planning process. Handyman projects – It was a pretty big house and it took a lot of maintenance and they all had their different jobs. (Participant 12; Male)

Reflection and perspective taking were lower order subcategories that participants believed was linked to children learning to take responsibility for their behaviour. Participants reported that children needed to learn with the guidance of parents to reflect on their behaviour and be accountable for their actions by being prompted to understand consequences for others and themselves. This process was also considered important to developing problem solving skills and building resiliency. Below is an example that was provided by a participant about how parents could intervene and contribute to the generation of reflective skills.

If a child has had a little tiff with a friend at school, to sit down and offer that comfort to chat to the child about what went wrong. What did you say and what did they say and try and give not just comfort but get their thought

processes going? What you said to the other child, was it not very nice? Is that why you had the argument and not just that emotional support but helping them learn from these experiences as well. I think that's important as well. Rather than shy away from them again, to be able to confront those situations and understand how they can deal with them so it's helping the child develop its strength and be resilient and robust rather than being afraid of those sorts of situations, to be able to confront them. (Participant 4; Female)

Building confidence and esteem.

Promoting confidence in children was viewed as an essential component to fulfilling the major needs of autonomy and resilience. Participants discussed the concept in the context of parents providing children with encouragement and trust to make decisions and contend with failures. Supporting children to govern their own behaviour was considered important in children developing belief in themselves and their capabilities. Participants noted that it was important for parents to normalize mistakes in order to reinforce a child's motivation to continue engaging in self-governing behaviours and to foster resiliency to overcome difficulties/challenges.

Ultimately what you're trying to do is basically build this platform of resilience to say you're a good person, you're okay, the world is not perfect, it's not always going to go your way and don't just assume that you're always right either but just learn and observe. (Participant 7; Male)

Kids become resilient by allowing them to fail at things and saying it's okay and if something happens and they get upset not going "oh no, no. You know it's okay". Life goes on and not everything works out all the time how we want it to and sometimes that's okay as well but find support. (Participant 15; Female)

The major category to develop autonomy and resilience and associated parental practices is illustrated in Figure 2.2.

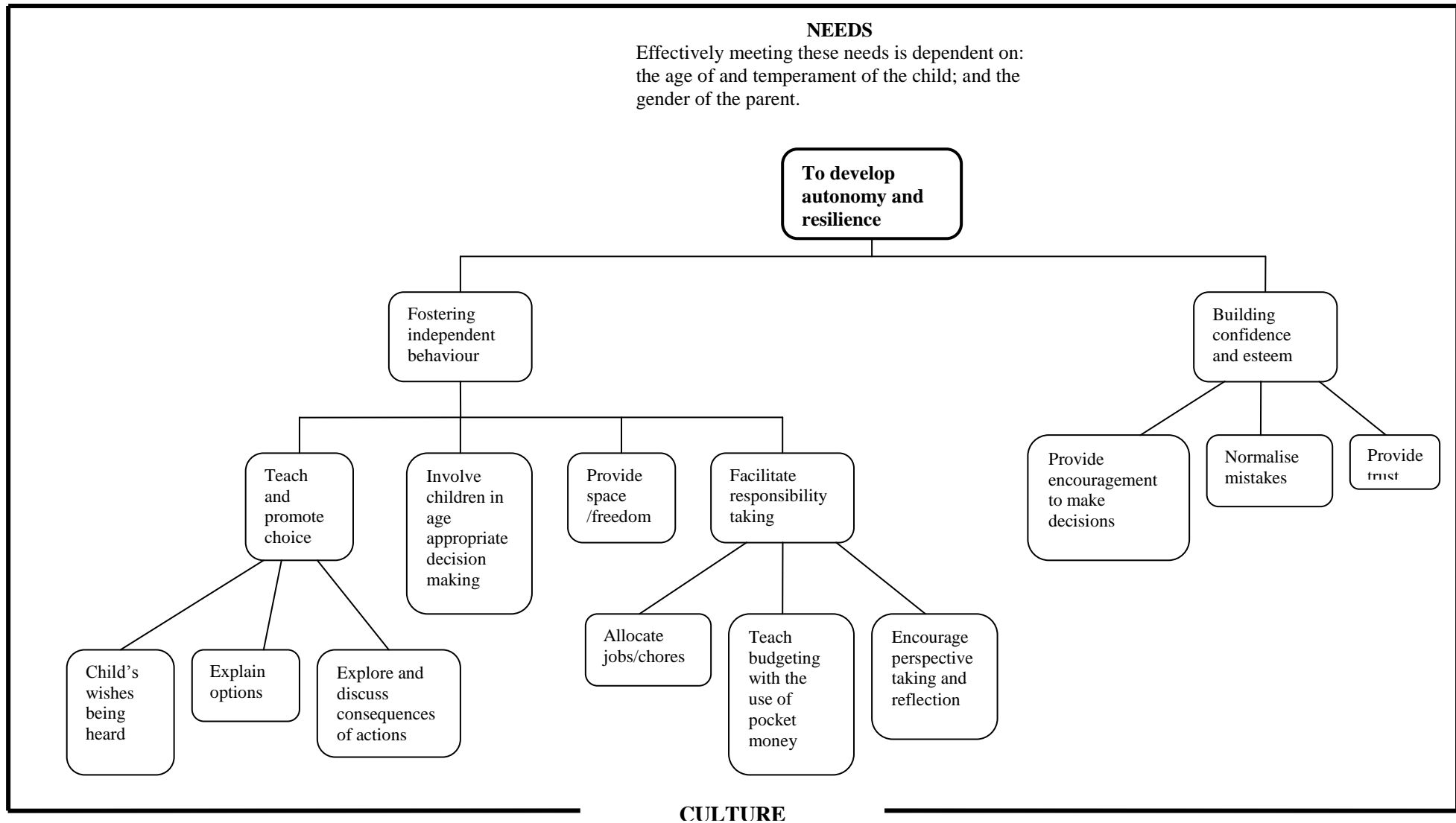


Figure 2.2. One (autonomy and resilience) of seven identified major developmental needs of children and the associated parental practices that foster them.

To know they are loved.

Participant raised the concept of being loved as a major need for children. Providing love and care was deemed important for children's esteem, self-worth and enabled them to feel wanted. Participants defined love as being unconditionally available, dependable, understanding, caring, and self-sacrificing in order to meet the needs of the child.

Well basically someone who I care about and someone who cares about me. To look out for each other and help each other out in any situation and someone I can rely on and talk to any time. (Participant 8; Male)

It's someone that wants their child a part of their life, making that child feel like you want them around, you want to be with them; they mean a lot to you, that if there is ever any time when they need someone to talk to that you're there. That strong attachment and bond is important for the child to feel loved. (Participant 4; Female)

When discussing the notion of love, participants believed that the internal experience felt by children from their biological parents was different to that from others including extended family.

The child knows the parent supports them in everything they do. They give them shelter, they give them food and they give them everything and they'll do anything the parents even though they don't have the means of giving it they will try and find a way of giving it so just doing anything unconditionally for them, they would do that but other people wouldn't do that. (Participant 11; Male)

A parent child connection is not like any other. The love between a mum and child or father and child is different, it's all consuming. It's a love that's so strong, you would die for your child and you don't even think about those things, that you would die for your child. Yeah so it's different from anyone else in their life. (Participant 5; Female)

Parents offering physical attention and demonstrating care and interest in the child were two main components to a child knowing they are loved. Both of these are discussed in more detail below.

Receive physical attention.

Physical attention was discussed in two ways: parents being affectionate and parents having a presence and being available for their child. In terms of affection, participants outlined tactile and practical behaviours such as kissing, cuddling and engaging in acts of kindness toward children as important to instilling a sense of being loved.

I think you do things, just little things like you make their lunches and you do little things like buy them little gifts every now and then that they don't expect or I will do something and I know it's something that they like to do. You do those sorts of things but you don't want praise for it. It's just something that you do because you love them. (Participant 6; Male)

Well some kids like being hugged and some kids like being held sometimes like an arm around the shoulder or pat on the head, that kind of thing or even saying goodnight, kisses and stuff and those kinds of things are very important. (Participant 10; Male)

Demonstrate care and interest in the child.

Being involved in a child's world through regular communication and attendance to organised events (such as school assemblies) was identified as a primary way of parents demonstrating love and care. Allocation of time and parent availability to partake in daily routines and pleasurable activities (including family holidays) was also viewed as essential. Participants highlighted that children needed to be considered the priority in an adult's life. In relation to communication, it was deemed important for parents to emotionally support children and provide space for them to express thoughts and concerns. Participants believed that by parents responding empathically, offering assurance and positively affirming children they instilled and maintained a child's self-worth and esteem.

Attending to them is I guess when they're young is reading to them, it's talking to them about things or what's happening and reassuring them. It's being at

their sporting events. It's going to their assemblies. It's just being there and them knowing that you're there. (Participant 7; Male)

I think kids want to feel that they have their parents showing them attention because they feel as though their parents care for them. If parents are too busy to have any time for their kids, to hear about how their days gone, what problems they're having, the kids aren't going to be able to communicate get help from their parents, you know with daily issues. And maybe kids eventually feel resentful about that. That they don't feel supported, that they don't feel as though they are cared for and loved. (Participant 2; Female)

To feel a sense of belonging.

This major need related to the social requirements of children. Belonging to or feeling a part of a group was seen as important to developing social skills and learning to relate to others. Furthermore, participants described it as essential in relation to children being able to receive and provide support to others. Participants identified a number of ways parents could satisfy the social needs of children including facilitating time with family (including extended family members, particularly grandparents) and friends and encouraging children to join clubs, sports teams and/or religious groups. A lack of belonging was considered detrimental to the emotional wellbeing of children due to the sense of isolation and loneliness they may experience. Furthermore, participants believed it could adversely impact on a child's ability to maintain future relationships in a romantic, social and work context.

The sort of bond that you have with friends – having someone to care for you other than your own family, finding someone if you're having a bad day that you can talk to. Someone who accepts you for who you are; someone that you can learn a lot off of and shapes who you are; how they behave and talk helps you take on attributes so that you can get along well with people when you get older and form better relationships. (Participant 4; Female)

Being in a family gives you a sense of belonging especially if it's a positive family rather than a negative one. I guess that's where human nature is right? You have to belong to something. If they don't they become isolated and their self-worth changes. (Participant 10; Male)

Sports, I reckon sports is a good thing because it's character building. They learn how to be part of a team. Well you're going to be part of a team somewhere. Somewhere in your life you've got to be able to get on with people and being part of a team helps you do that. Even in your work you're usually part of a team somewhere and with sporting teams you learn that and do the right thing. (Participant 9; Male)

In the context of parents who planned to separate, participants believed it was important for children to have contact with both parents. As stated earlier the connection and relationship between a child and parent was described as unique and as such preventing access to them was deemed to contravene the rights and interests of children.

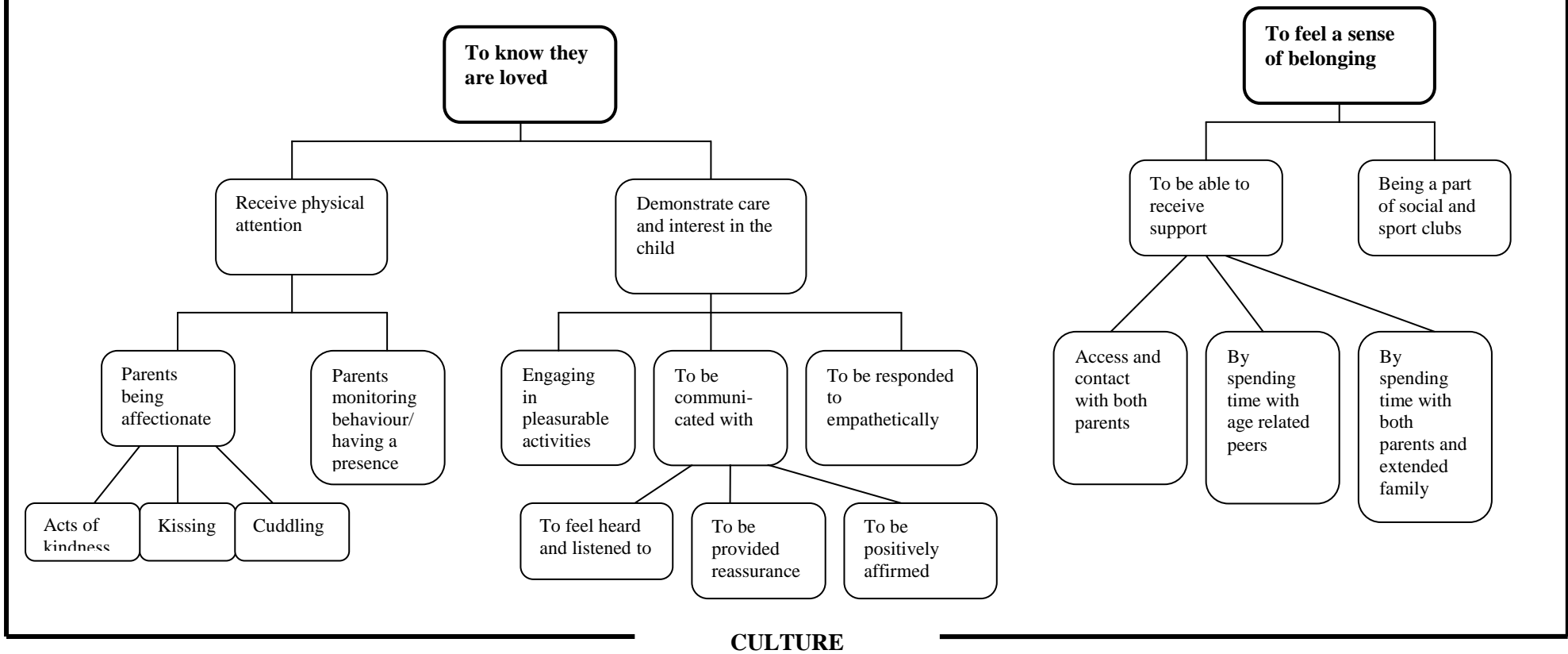
Every child needs to have a good relationship with both of its parents. That coupled with what the child's needs are, is the most important aspect and no matter what a child's parents have done or what sort of person they are, I still think the child needs a relationship with both of them. It's working around that coupled with the child's interests and if a parent is physically violent or they're not suitable for a child to be around a lot of the time, they still need to see the parent but maybe supervised. (Participant 4; Female)

It's still one of the closest bonds someone is ever going to have so it's still important but where it gets grey is if a particular parent is not fit to look after their child. Then you've got to still allow the child access but for it to be highly supervised. (Participant 18; Male)

Both major needs (relating to children knowing they are loved and feeling a sense of belonging) and associated parental practices are illustrated in Figure 2.3.

NEEDS

Effectively meeting these needs is dependent on:
the age of and temperament of the child; and the
gender of the parent.



CULTURE

Figure 2.3. Two (love and belonging) of seven identified major developmental needs of children and the associated parental practices that foster them.

Chapter 7 Community Conceptualisations of BIC: An Integration of Findings with Existing Theory and Legislation

The data from this study enabled me to develop a complex hierarchical model that encompasses community members' views describing the major needs of children and the parenting practices that meet those needs. Consistent with the views of family law professionals (Eekelaar, 1992; Garber, 2010), participants interpreted BIC as caregivers fostering the developmental needs of children to enable them to develop into healthy, well-socialised, and well-functioning adults. The health and wellbeing of children was viewed as being highly connected to parents' child-rearing practices. Consistent with Pruett and colleagues (2000) community members adopted the perspective of children and focused on the child's needs rather than on the parent's characteristics.

When deconstructing the BIC construct, participants identified seven core developmental needs that relate to both the physical and psychological wellbeing of children. In order to promote a child's physical and intellectual needs, community members highlighted the need for parents to provide children with food, clothing, shelter, a safe and clean environment, adequate supervision, and access to necessary health care and education. A child's emotional and psychological wellbeing was attributed to receiving support, feeling loved, valued, and competent by their parents. Parents were also viewed as vehicles to promoting connections with others (including extended family) and the community in order to for children to fulfil needs of companionship, support and belonging. Parents were additionally viewed as the transmitters of both individual and societal values, who teach general principles of what is right and wrong and facilitated successful socialisation of children. Finally, parental behaviours train children to cope with adversity and live independently.

Participants concluded that doing all of these things and doing them well, enables children to develop into stable and well-functioning adults. These findings are reflected in parenting literature that suggests that optimal child outcomes are connected to parental behaviours that facilitate secure attachments and are consistent with authoritative child rearing styles (Connors, 2011; Darling & Steinberg, 1993; Teti & Candelaria, 2002; Zilberstein, 2013).

Community members further believed that children would benefit from a relationship with both parents in the event of separation. Participants viewed parental relationships as unique and different to other attachments children may form and believed it was an essential component to maintaining a child's wellbeing. With this in mind participants also acknowledged stability as a core developmental need for children. Adopting a transient lifestyle and regularly disrupting routines was considered detrimental to a child's emotional wellbeing. These findings suggest that a child's best interests would be met by facilitating involvement with both parents but also ensuring consideration be placed on maintaining stability in a child's life when making decisions regarding contact and residence. This appears consistent with recent legislative amendments whereby maintaining a meaningful relationship with both parents is outlined as a primary consideration however courts are also required to balance it against all other relevant factors that are considered in the child's best interest. Maintaining a holistic approach that considers all factors relevant to a child's development and needs was highlighted by community members as fundamental to decision making.

Culture was identified as a central contextual factor that governs how the BIC construct needs to be interpreted and applied. Participants noted that the developmental goals and qualities parents encouraged and the manner in which they

chose to attain those goals were culturally determined and likely to vary across cultural groups. Furthermore, the degree of influence was seen as dependent on the parent's level of acculturation. The relevance and influence of culture is widely recognised by both researchers and practitioners with general agreement that it shapes childrearing goals and socialisation practices (Bradley et al., 2001; Garcia Coll & Pachter, 2002; Harkness & Super, 2002; Hui & Triandis, 1985). The Family Law Act (1975) attempts to develop a culturally competent service system by giving consideration to and highlighting the importance of protection and promotion of a child's cultural identity, particularly for ATSI children. Consideration is also paid to the background (including lifestyle, culture and traditions) of the child's parents that appreciates cultural diversity and acculturation processes that are relevant to the parenting of children. Thus, based on findings the inclusion of culture within legislation reflects public sentiment.

Community members additionally highlighted three mediating factors (namely, age of the child, gender of the parent and temperament of the child) that governed how the major needs of children and associated parental practices needed to be interpreted and adjusted to ensure the needs of children were effectively met. The need for parents to modify parenting according to a child's developmental stage and temperament is well researched. A parent's ability to appropriately tailor parenting behaviour to suit the unique needs of his or her child has been linked to better quality parent-child interactions and optimal child development (Benasich & Brooks-Gunn, 1996; Damast, Tamis-LeMonda, & Bornstein, 1996; Putnam, Sanson, & Rothbart, 2002).

In relation to the age of the child, participants believed that mothers would be optimal primary caregivers for children under school age. This corresponded with the

tender years doctrine that is not reflective of current legislative decision-making principles however suggested that mothers were biologically better suited to nurture and care for infants during their tender years. There has been early and dated research to support this finding with results suggesting that there is a consensus that fathers tended to spend less time in child rearing relative to mothers (Acock & Demo, 1994; Yeung et al., 2001). However, the same research also provided some evidence that suggested that father's time with children increased beyond the infancy stage (Brayfield, 1995; De Luccie, 1996b; McKeering & Pakenham, 2000). The hypotheses proposed to explain this observation went beyond biological perspectives and include factors such as father's lacking experience and confidence, therefore relinquishing responsibility to mothers and older children (Brayfield, 1995; De Luccie, 1996b; Lamb, 2000). Other research has also shown no differences in competence between mothers and fathers during the new-born period with both parents being capable of doing equally well or equally poorly (Lamb, 1997, 2000; Lamb & Goldberg, 1982). It has been acknowledged that a more complete understanding of fatherhood and father involvement is required with fathering being considered multi-determined with individual, family, institutional, and cultural factors all influencing the role (Parke, 2002).

When discussing the mediating factor of gender (of the parent), participants reported that a parent's effectiveness would be related to the sex of the child, with child rearing being more productive with children who are the same sex as the parent. Participants attributed this to increased familiarity and awareness of needs associated with children who are the same sex of the parent. Studies that have explored child gender and parental involvement are inconsistent however there has been some evidence that fathers tend to spend more time with sons rather than daughters.

Lundberg and colleagues (2005; Lundberg, McLanahan, & Rose, 2007) drew similar conclusions to participants in the current study and proposed that increased time with a same-sex child was likely the result of factors such as: increased enjoyment associated with spending time with a child who is most like you; increased familiarity of gender-specific parenting skills; and a belief that they are a more effective parent with that child. Despite these findings, the independent contribution of fathers relative to mothers is only weakly documented and there is considerable evidence that suggests the impact of fathers' and mothers' on children is comparable (Parke, 2002). Instead, better quality parent-child interactions have consistently been linked to knowledge of child development, awareness of individual child characteristics and effective child stimulation (Benasich & Brooks-Gunn, 1996; Bradley et al., 2001; Damast, Tamis-LeMonda, & Bornstein, 1996; Kiff et al., 2011b; MacPhee, 1984; Stevens, 1984).

Community conceptualisations of the BIC construct were broadly consistent with both parenting research and current legislative frameworks. In accordance with the concepts underlying Darling and Steinberg's (1993) integrative model of parenting, participants in the current study proposed that parents held values and goals toward which they socialised their children. These socialisation goals related to the acquisition of skills and behaviours necessary for healthy development. Parenting attributes (i.e. parenting practices and parenting style) influenced the attainment of socialisation goals and in turn, a child's development. Within the current study, the concept of parenting style was raised in the context of adjusting parenting behaviours according to a child's temperament. Adoption of one style of parenting for all children was deemed ineffective and likely to significantly intervene in the attainment of developmental goals. There is also agreement between researchers that the

aforementioned processes vary as a function of other external influences, such as culture or SES. Community members within the current study recognized child rearing is a dynamic process that is dependent on a number of factors including child characteristics, SES, home environment, neighbourhood, family factors and level of social support. This directly corresponded to empirical studies that have found all the aforementioned as factors that impact on parenting (Bradley et al., 2001; Deater-Deckard & Dodge, 1997; McBride et al., 2002; McLoyd, 1998; Oyserman et al., 1993; Roux & Mair, 2010; Sugland et al., 1995).

With respect to current legislative frameworks, the Family Law Act (1975) provides the most detailed legal guidelines regarding how the BIC principle needs to be applied in relation to determinations made in family court. All 18 considerations documented emerged in the data and therefore demonstrates limited divergence between current legislative guidelines and public sentiment. Recent amendments made to section 60CC of the FLA outline two “primary considerations”: 1) the benefit to the child of having a meaningful relationship with both parents and; 2) the need to protect the child from physical or psychological harm from being subjected to, or exposed to, abuse, neglect or family violence. Furthermore, when applying these two considerations the court is directed to give weight to protecting a child from harm over the benefit of maintaining meaningful relationships with both parents.

Unfortunately, this prioritisation could not be ascertained from the current study given it was explorative in nature and weightings were not established for responses provided. Despite this, needs relating to safety, stability and belonging were all viewed by community members as fundamental to a child’s development. Future research could explore how community members would weight considerations provided from either this study or based on current legislative guidelines.

Findings confirm that although legal frameworks are vague and ill-defined, existent guidelines reflect public sentiment with the focus being on the fit between a parent's attributes and the child's developmental needs. Furthermore, results highlighted the relevance of child development literature when making determinations about the best interests of a child. The model generated from community views offered comprehensive detail regarding specific developmental needs children required and parental behaviours that elicited these, beyond those recognised in legislation. These data endorse the existing practices of forensic evaluators to draw from child development and parenting literature when completing assessments and making scientifically sound recommendations to courts. Parenting and child development literature offers significant insight into the functions of families and how various aspects of the family context influence child rearing and child health.

Community members recognised the complexity of the BIC construct and the number of factors that would need to be considered when determining the best interests of a child. The findings promote a comprehensive approach to assessing parenting capacity that focuses on a range of proximal (e.g. characteristics of the child and parent, specific parenting practices) and distal factors (e.g. culture and economic climate) that affect parenting. Consistent with socio-ecological models such as Bronfenbrenner (1979), child development was seen to be highly influenced by complex interactions between contexts of the home, community, culture and society. The data emphasise the need for practitioners to consider the impact of proximal and distal factors when ascertaining the needs of children and judging the utility of parenting practices. Greater cultural sensitivity and awareness of the diverse pathways of attaining socialisation goals would avoid distorted interpretations being provided to courts.

Furthermore, information received from female participants in the current study suggested a depth of thinking and analysis that was beyond that demonstrated by males. Although, males provided information that was consistent with that provided by females their articulation of concepts and relationships was less descriptive. Although these findings need to be interpreted with caution, they are worthy of further investigation given that these gender differences in communication could be observed in other settings such as child custody evaluations and misinterpreted as females having a greater understanding of child needs and parenting. Given the significant implications such misinterpretations could have for families and practitioners, further research in the area is required to ascertain what factors contribute to this presentation.

Limitations of the Study

Some limitations arose as part of the research process that need to be discussed. Firstly, demographic details gathered from participants were not sufficient to ascertain how acculturation would influence community perspectives. Although, participant ethnicity was noted it was unknown if they were born in Australia and if not, how long they had been in Australia, i.e., how acculturated they were. Culture emerged as a significant contextual factor that governed how community members believed BIC would be conceptualised. Garcia Coll and Pachter (2002) suggested that the manner in which cultural traditions are imparted is primarily dependent on the family's level of acculturation and the environment in which they live. Gathering more detailed demographics from participants would have enabled the researcher to better understand relationships between community perspectives, ethnicity and level of acculturation and if this is consistent with existing literature.

Secondly, the FLA specifically makes reference to ATSI cultural backgrounds

(ss60CC) and asserts that judicial decisions need to consider preserving and enhancing a child's sense of racial, ethnic, religious, spiritual and cultural identity. The absence of any ATSI community members was a significant limitation of the current study particularly since information was gathered from a high proportion of non-Australians. Not gaining ATSI community member perspectives regarding BIC resulted in the researcher being unable to make direct links to current legislation and more specifically, prevented an opportunity to explore if this sector of the community believes culture is important and if so, to what extent.

Thirdly, it is possible that culture was emphasised as a contextual factor in the study due the majority of the participants (11 out of 19) coming from backgrounds other than Anglo-Australian. Having a multi-ethnic, multicultural sample may have contributed to the importance placed on culture given it forms a part of their identity and associated lifestyle. Future research would benefit from having a larger sample that is considered more reflective of the general population including ATSI community members. Additionally, a useful focus for future research could be to make comparisons between different demographic groups to ascertain if commonality exists.

Summary

Participants in the current study interpreted BIC as caregivers fostering the developmental needs of children to enable them to develop into healthy, well-socialised, and well-functioning adults. Seven core developmental needs were identified and corresponded to both the physical and psychological wellbeing of children. Meeting these needs and meeting them well was considered essential to the successful socialisation of children. Culture was highlighted as a central contextual

factor that governed how the BIC construct needed to be interpreted and applied. Furthermore, participants recognised the uniqueness of individual families in terms of the specific childrearing goals they valued and how parents chose to attain these goals. Findings of the current study demonstrate the complexity of the BIC construct and the variety of factors that can influence child outcomes. An emphasis is placed on maintaining a culturally sensitive legal system that appreciates diversity and acculturation processes when making determinations regarding BIC. The findings of this study draw attention to the valuable service forensic evaluators can provide in terms of informing courts of the contextual considerations and information regarding the fit between parent attributes and the child's needs.

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Appendix A
Advertisement For The Study

Research Participants Wanted

I am currently completing my Doctorate at Edith Cowan University (ECU). As part of my research I am talking with people from all walks of life about the legal concept "best interests of children" and what factors they think are important when parents are separating or divorcing.

I am interested in obtaining the average person's perspective and as such it is not necessary for interested participants to be parents or to have experienced separation. Interviews will last about 30 minutes. If you would like to participate please call, text or email:

Nadia Dias
043 998 4434 or
ndias@our.ecu.edu.au

All information will be kept confidential and you are free to withdraw at any time.

Questions regarding the study can be directed to myself, Nadia Dias on 0439984434, Dr Deirdre Drake on 6304 5020/Dr Greg Dear on 0438985289 (Supervisors) or Ms Kim Gifkins on 6304 2170 (Research Ethics Officer - independent of the project).

Appendix B
Information Sheet

Best Interests of the Child Principle: As Conceptualised by the Community

Dear Participant,

My name is Nadia Dias and I am undertaking the Doctor of Psychology course at Edith Cowan University, Joondalup. The project is being undertaken as part of the requirements of the above mentioned degree.

The current exploratory study aims to understand the best interests of children and what factors the community consider important when parents are separating or divorcing. This research will inform policy makers, legislators, and officers in the legal system and ensure legal practices are consistent with public opinion.

Participation is **completely voluntary** and you are **free to withdraw** your participation at any time. The research involves completion of a half an hour interview which will be audio recorded. The interview will allow you to discuss what factors you believe need to be considered when referring to the best interests of a child. Once interviews have been transcribed cassette tapes will be erased.

Participant names will only be recorded on consent forms. All information gathered at other stages of the research will be de-identified. All transcripts collected will be codified to allow strict confidentiality of all personal information. All de-identified material will be analysed and reported in a final thesis.

The research has been approved by the Edith Cowan University Human Research Ethics Committee. If you have agreed to participate in this research you are required to fill out the consent form prior to completing both of the questionnaires.

If you have any questions or require any further information about the research project please contact the researcher Nadia Dias on 043 998 4434 or the principal supervisors Dr Deidre Drake on 6304 5020 and Dr Greg Dear on 6304 5052. If you have any concerns or complaints about the research project and wish to talk to an independent person, you may contact:

Research Ethics Officer
Edith Cowan University
100 Joondalup Drive
JOONDALUP WA 6027
Phone: (08) 6304 2170
Email: research.ethics@ecu.edu.au

I would greatly appreciate your assistance to make this study possible.

Yours sincerely,

Ms Nadia Dias.

Appendix C
Consent Form

I (Please print full name) _____
agree to participate in the research being conducted by Nadia Dias examining the Best
Interests of the Child principle.

I understand that this research requires my participation in an individual interview.

I am aware that the interview will be recorded on an audio-tape recorder for
transcription and that all of my details will be coded to ensure anonymity.

I understand that my participation is **voluntary** and that I may **withdraw my
participation at any time**. I further understand that my involvement in the research
will remain confidential and that any information derived from my involvement will
be deidentified.

I give permission for this information to be used in the development of a Doctoral
Thesis and any publication derived from that report, as long as I am not identified
therein.

Signature of Participant:

_____ .

Date: _____.

Signature of Researcher:

_____ .

Date: _____.

Appendix D
Interview Schedule

Demographics:

Gender:

Male Female

Age: _____

Nationality: _____

Are you in a relationship? Yes No

If yes, please specify:

Married Defacto In a relationship but living separately

If no, were you previously in a relationship? Yes No

Please specify (if yes):

Married Defacto In a relationship but living separately

Do you have biological children? Yes No

If yes, do they live with you? Yes No

Do you have other children with you? Yes No

Please specify:

Stepmother Stepfather

De facto Mother De facto Father

Female Guardian Male Guardian

Other:

Family Court Experience:

Yes No

Please specify:

Do you have any experience deciding what to do with children following a separation? Yes No

If yes, please specify:

The best interests of a child is a legal concept that is central to decision making about children. What do you think the term “best interests” means?

Consider the scenario below:

There is a mother and father who have one child. The relationship between the parents is highly conflicted and they have decided that they are going to separate. What do you think they should consider when deciding what is right for this child?

Are there any other issues you feel are important when considering the best interests of a child?

Examples of prompts that will be used to elaborate on initial responses:

“I’m not sure I understand what you mean by _____.”

“Can you talk a little more about that?”

“I want to make sure I understand what you mean. Would you describe it for me again?”