

CHILDREN CUSTODY AND HEALTH INEQUALITIES: A CONCERN FOR PUBLIC HEALTH?

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Background: two streams of literature and hypotheses

1. First stream: Literature on shared physical custody and its effects on children

1- Spectacular increase in shared custody in Western countries in the XXI century.

2- Shared physical custody may counterbalances some of the negative effects of parental separation for children.

3- The beneficial effect of shared physical custody may depend on the positive socio-economic selection of separated parents compared to those in solo custody arrangements.

The protective effect of shared physical custody is not equally distributed

2. Second stream: increasing socio-economic polarization of family patterns

1- US and UK literature on the "diverging destinies of children": highly educated parents lead stable and married family lives, those with lower education sees more family dissolution and complexity.

2- Socially stratified family patterns lead to a polarization in children's well-being and chances, depending on the socio-economic status of the parents.

The socially unequal distribution of shared physical custody reinforce the divergent destinies of children of divorce

3. Our Hypotheses

1. Children from lower socioeconomic strata have (1) higher chances of experiencing parental separation, and (2) lower chances of living in shared physical custody thereafter.

2. Children from higher socioeconomic strata have (1) lower probability of parental separation and (2) higher chances of being in shared physical custody arrangements.

Two unequally distributed family patterns (before and after separation) may be mutually reinforcing in creating diverging destinies of children.

Research question: Is the increase in shared custody creating a new source of inequality?

The increase in shared physical custody creates new inequalities conditional to:

Hypothesis 1: The prevalence of shared physical custody remains greater among children from higher socio-economic backgrounds. **There are only very few studies focusing on this point.**

Hypothesis 2: Shared physical custody should be more beneficial for those with a high socio-economic background than for those with a low socioeconomic background. **The literature is silent on this aspect.**

Yet, parents with lower level of resources and in shared physical custody arrangements may meet more difficulties than other parents **Shared physical custody is more expensive than sole custody in that parents need to have sufficient resources for each of their separate households to accommodate children being present a substantial portion of the time (Melli and Brown 1994).*

Spain: a compelling case to study inequalities due to shared physical custody

Spain experienced a rapid and dramatic increase in shared physical custody : from 2007 to 2016 it rose from 10 % to 24% (percentage of children in shared physical custody among all children in custody).

In 2010, shared physical custody became the default judicial recommendation in some Spanish Autonomous Communities.

Spain is an outlier among Southern European countries and is moving towards family models similar to the Northern European countries. Only in the last decade it experienced :

- A high increase in divorce and lone parenthood
- A reversal of the educational gradient on lone parenthood and divorce, from positive to negative.

Data: 'Health Behaviour in School-aged Children' (HBSC)

This study is a collaborative cross-sectional survey which is carried out every 4 years by the World Health Organization (WHO).

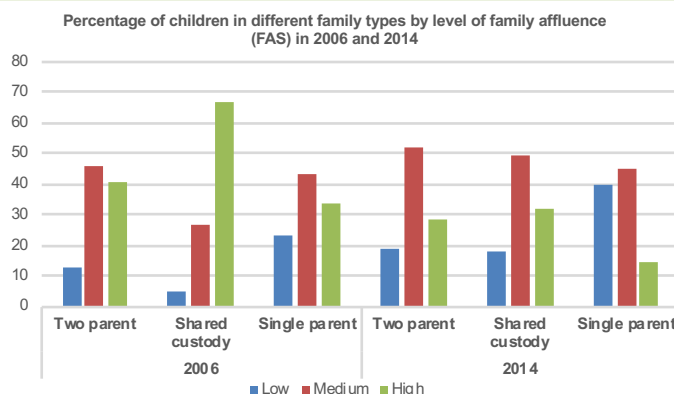
Spanish sample from 2014 (N=24,997) and 2006 (N=15,623).

Representative sample of adolescents aged 11 to 16.

Percentages	Two parents	Shared custody	Single parent	Total
2006	85	1	14	100
2014	82	6	12	100

Main findings

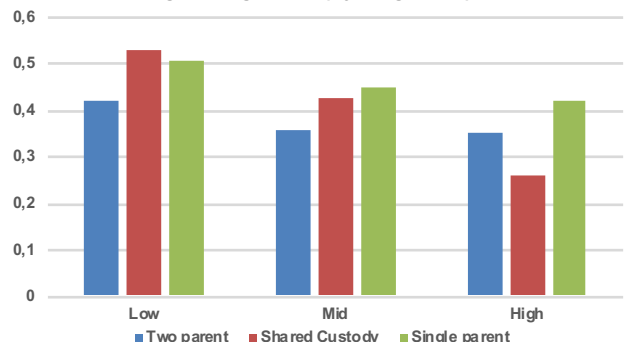
Hypothesis 1 is confirmed: The increase in shared physical custody does not bring about its democratization. Persistent socio-economic selectivity of children in shared physical custody versus those in lone parent custody.



- In 2006, adolescents in shared physical custody have more affluent families than those in two parent or lone parent families. In 2014, such differences are drastically reduced.
- Children in two parent families are more affluent than those in lone parent families in 2006 than in 2014. Increasing differences between children in two parent families and in lone parent families. On the contrary, differences between adolescents in shared physical custody and in lone parent families remain stable 2006 and in 2014.

Hypothesis 2 is confirmed: Shared physical custody is only beneficial for children from a higher socio-economic background

Predicted probabilities for the interaction between family types and socioeconomic background, High level of psychological complains



- Among children with the lowest socio-economic background, those in single parent and shared physical custody families have a higher level of psychological complaints than those in two parent families. We observe no differences between children in single parent and in shared custody families.
- Among children from the highest socio-economic background, those in single parent families have a higher level of psychological complaints than those in single parent families

Conclusions: In a context of increasing family stratification, the increase of shared custody creates additional social inequality among children.

References: Melli, M. S., & Brown, P. R. (1994). The economics of shared custody: Developing an equitable formula for dual residence. *Hous. L. Rev.*, 31, 543.

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