

STRASBOURG 23-10-2013 BOZEN 29-11-2013

DOTT. VITTORIO VEZZETTI –PEDIATRICIAN SCIENTIFIC RESPONSIBLE EUROPEAN PLATFORM COLIBRI

First comparative survey regarding the habits of 15 Europeans countries on the subject of protection of children's right to co-parenting.

Science has demonstrated direct effects of loss of parental care and abuse on wellbeing of the children:

f.e. if genetically inclined, children will have in their lifes a greater risk of panic disorders if they had a history of parental loss

«A Genetically Informed Study of the Association Between Childhood Separation Anxiety, Sensitivity to CO2, Panic Disorder, and the Effect of Childhood Parental Loss»

Marco Battaglia, MD; Paola Pesenti-Gritti, MSc; Sarah E. Medland, PhD; Anna Ogliari, MD; Kristian Tambs, PhD; Chiara A. M. Spatola, MSc

Arch Gen Psychiatry. 2009;66(1):64-71. doi:10.1001/archgenpsychiatry.2008.513.

Psychoneuroendocrinology 8 july 2013

PII: S0306-4530(13)00184-4 doi:10.1016/j.psyneuen.2013.05.007

Parental separation in childhood and adult inflammation: The importance of material and psychosocial pathways

Rebecca E. Lacey, Meena Kumari, Anne McMunn

Department of Epidemiology & Public Health, University College London, United Kingdom Department of Epidemiology & Public Health, University College London, United Kingdom

CRP levels (correlated with type II diabetes, coronary heart disease, depression...) are increased in children of divorced couples

Conclusions: Parental separation increases CRP in adulthood via chains of disadvantage across the life course. **The study points towards potential points for intervention and highlights a need to support separating families** in order to minimize the long-term impact on adult health.

Journal of Psychiatric Research Volume 47, Issue 5, May 2013, Pages 604–610

Association of elevated <u>cytokines</u> with childhood adversity in a sample of healthy adults

Karen J. Hartwell ,Megan M. Moran-Santa,Maria Waleed O. Twal Stephanie Shaftman Stacia M. DeSantis Aimee L. McRae-Clark Kathleen T. Brady

Importantly, this association was found in healthy adults, suggesting that these alterations may precede the development of significant stress-related psychiatric disorder or disease (asthma, allergy, heart disease...).

Please remember...in western countries divorce of parental couple is actually the first cause of parental loss...

AND MORE OF TEN MILLIONS OF EUROPEAN MINORS ARE CHILDREN OF DIVORCED COUPLES DIRECT ACTION ON CHROMOSOMES! Adverse childhood events are related to continued vulnerability among older adults enhancing the impact of chronic stress factors: it means more psychiatric disorders (for abuse has been demonstrated to lead to an increase of metabolic diseases, cancers, lung's diseases)

Childhood Adversity Heightens the Impact of Later-Life Caregiving Stress on Telomere Length and Inflammation

JANICE K. KIECOLT-GLASER, PhD, JEAN-PHILIPPE GOUIN, MA, NAN-PING WENG, MD, PhD, WILLIAM B. MALARKEY, MD, DAVID Q. BEVERSDORF, MD, AND RONALD GLASER, PhD

Objective: To address the question of whether childhood abuse and other adversities have lasting, detectable consequences for inflammation and cell aging late in life, and whether the effects are large enough to be discernible beyond that of a major chronic stressor, dementia family caregiving. Previous research on the physical health consequences of childhood abuse and other adversities has been based on data from young or middle-aged adults. Method: In this community sample of 132 healthy older adults (mean age = 69.70 years; standard deviation = 10.14), including 58 dementia family caregivers and 74 noncaregivers, blood samples were analyzed for interleukin (IL)-6, tumor necrosis factor (TNF)- α , and telomere length, a measure of cell aging. Depressive symptoms were assessed by the Center for Epidemiological Studies Depression Scale. Results: After controlling for age, caregiving status, gender, body mass index, exercise, and sleep, the presence of multiple childhood adversities was related to both heightened IL-6 (0.37 \pm 0.03 log10 pg/mL versus 0.44 \pm 0.03 log10 pg/mL) and shorter telomeres (6.51 \pm 0.17 Kb versus 5.87 \pm 0.20 Kb), compared with the absence of adversity; the telomere difference could translate into a 7- to 15-year difference in life span. Abuse was associated with heightened IL-6 and TNF- α levels; for TNF- α , this relationship was magnified in caregivers compared with controls. Moreover, abuse and caregiving status were associated significantly and independently with higher levels of depressive symptoms. Conclusions: Adverse childhood events are related to continued vulnerability among older adults, enhancing the impact of chronic stressors. Childhood adversities cast a very long shadow. Key words: psychoneuroimmunology, interleukin-6, tumor necrosis factor- α , depression, cell aging, trauma.

INFLUENCE ON HORMONAL ASSESSMENT

2012 Jan;15(1):1-10. Epub 2011 Jun 19.

Experience of stress in childhood negatively correlates with plasma oxytocin concentration in adult men.

Source

Department of Life Sciences, Roehampton University, London, UK.

Abstract

Early life experience is known to affect responses to stress in adulthood. Adverse experience in childhood and/or adolescence sensitises to life events that precipitate depression in later life. Published evidence suggests a relationship between depression and oxytocin (OT), but the extent to which early life experience influences OT disposition in adulthood deserves further exploration. This study hypothesised that early life stress (ELS) has a long-term negative effect on OT system activity. The study was performed on 90 male volunteers (18-56 years; mean ± standard deviation = 27.7 ± 7.09 years). Several questionnaires were used to assess: health, early life stressful experiences in childhood (ELS-C, up to 12 years) and early life stressful adolescence (13-18 years), recent stressful life events, depressive symptoms, state-trait anxiety and social desirability. Plasma OT concentration was estimated by means of a competitive enzyme immunoassay. Lower OT concentrations were significantly associated with higher levels of ELS-C (p < 0.01), and with depressive symptoms and trait anxiety (both p < 0.05). The interaction between ELS-C and trait anxiety was significant (p < 0.05), indicating that the link between ELS-C and plasma OT concentration is moderated by trait anxiety. These results contribute to the evidence that early life adverse experience is negatively associated with OT system activity in adulthood, and offer further insight into mediator and moderator effects on this link.



Epigenetic regulation of the glucocorticoid receptor in human brain associates with childhood abuse

VOLUME 12 NUMBER 3 MARCH 2009 NATURE NEUROSCIENCE

Patrick O McGowan^{1,2}, Aya Sasaki^{1,2}, Ana C D'Alessio³, Sergiy Dymov³, Benoit Labonté^{1,4}, Moshe Szyf^{2,3}, Gustavo Turecki^{1,4} & Michael J Meaney^{1,2,5}

Maternal care influences hypothalamic-pituitary-adrenal (HPA) function in the rat through epigenetic programming of glucocorticoid receptor expression. In humans, childhood abuse alters HPA stress responses and increases the risk of suicide. We examined epigenetic differences in a neuron-specific glucocorticoid receptor (NR3C1) promoter between postmortem hippocampus obtained from suicide victims with a history of childhood abuse and those from either suicide victims with no childhood abuse or controls. We found decreased levels of glucocorticoid receptor mRNA, as well as mRNA transcripts bearing the glucocorticoid receptor 1_F splice variant and increased cytosine methylation of an NR3C1 promoter. Patch-methylated NR3C1 promoter constructs that mimicked the methylation state in samples from abused suicide victims showed decreased NGFI-A transcription factor binding and NGFI-A-inducible gene transcription. These findings translate previous results from rat to humans and suggest a common effect of parental care on the epigenetic regulation of hippocampal glucocorticoid receptor expression.

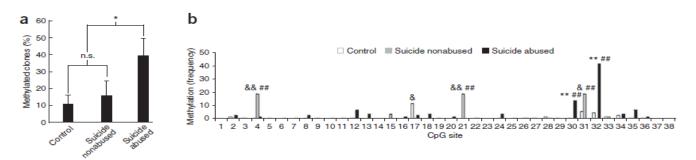


Figure 2 Methylation of the NR3C1 promoter in the hippocampus. Twenty clones were sequenced for each subject for methylation mapping. (a) Mean \pm s.e.m. percentage of methylated clones for suicide victims with a history of childhood abuse (n=12), suicide victims without a history of childhood abuse (n=12) and controls (n=12). The methylation percentage was calculated as the number of clones with at least one methylated CpG site divided by the total number of clones (* indicates $P \le 0.05$; n.s. indicates not statistically significant). (b) Methylation of the NR3C1 promoter region, showing the frequency of methylation observed at each CpG site for suicide victims with a history of childhood abuse, suicide victims with no history of childhood abuse and control subjects (*P < 0.05, **P < 0.001, abused suicides versus controls; *P < 0.05, **P < 0.001, non-abused suicides versus controls; *P < 0.05, **P < 0.001, abused suicides versus non-abused suicides; Bonferroni Post hoc comparisons).

NOW A QUESTION FOR THE PUBLIC: ARE THESE ONES ARGUMENTS OF FAMILY RIGHT??

For sure pensions, alimonies, houses are arguments of Family Right but not the behaviours to protect the children from organic and non organic damages

FIRST TAKE-HOME MESSAGE:
CO-PARENTING IS NOT JUST A JURIDIC,
ANTROPOLOGICAL, SOCIOLOGICAL
CONCEIPT ANYMORE... BUT MAINLY A
SCIENTIFIC ISSUE! SO WE CAN SAY
THAT THE COMPETENCE SHOULD BE
NOT ONLY OF JUSTICE COMMISSIONER
BUT OF HEALTH COMMISSIONER...

Unfortunately..."The definition of joint custody belongs to substantive family law. As such, it does not fall within the EU's competence but remains under the sole responsibility of the Member States. This explains why there may be differences in the national systems as regards the definition of joint custody and how it works in practice".

7 March 2013 E-000713/2013 Answer given by Mrs Reding on behalf of the Commission

I DON'T AGREE!! IN PRINCIPLE IT'S A QUESTION OF HEALTH AND EUROPE HAS COMPETENCE IN THIS AREA

SECOND TAKE-HOME MESSAGE: PARENTAL LOSS AND PSYCHOLOGICAL STRESS CAN CAUSE ORGANIC DAMAGE, not only untangible pain.

PARENTAL LOSS CAN HAVE DRAMATIC CONSEQUENCES BUT... SHARED-EQUAL CUSTODY WOULD BE A GOOD INSTRUMENT TO PREVENT PARENTAL LOSS

Less frequent loss of father-child contact when the residences are near (loss in 33% when they are more than 400 kms each other distant and in 81% when the father is not able to answer about the duration of the trip) Less frequent loss of father-child contact <u>after</u> <u>alternating residence</u> (1% vs. 21% in maternal custody)

Number 500 • May 2013 • *Population & Societies* • Monthly bulletin of the French National Institute for Demographic Studies

Before going to examinate the european situation, I tried to determinate if shared custody is in the paramount interest of the children.

In fact...

While during the '60-'70-'80s the discussion on alternating custody was based on theoretic models, by the end of '90 the scientists have begun to work on tangible features.

It was finally possible study quite wide casistics of children living in equal-alternating custody!

THIRD TAKE-HOME MESSAGE: after more than 40 years since the debate began, we could now substitute the theoretical and ideological debate with a more concrete and practical approach based on research findings (especially meta-analysis). This allows for the evaluation of the experience of countries that have, unlike Italy and most of southern countries, an established history of joint-alternating custody.

COUNTRIES WITH ESTABLISHED HISTORY OF JOINT-ALTERNATING CUSTODY? FOR EXAMPLE

Official national statistics of Quebec reported in 2006 that 29,66% of children (11-14 years old) of separated couples spent 40 to 60% of the time with each parent

In Sweden, about 28% of children from separated couples spent in 2009 about 50% of the time with each parent Lundstrom, K. (2009) Växelvis boende ökar bland skilsmässobarn, Välfärd, 4,3-5.

In Wisconsin about 22% of children lived in 2008 50-50 and 32% more than 30% of time by parent 2

Melli, M. & Brown P.R. (2008) Exploring a new family form – The shared time family, International Journal of Law, Policy and the Family, 22

In Washington State 16% of children lived 50-50 and 34% spent more than 35% of time by parent 2 George, T. (2008) Residential Summary Time Reports filed in Washington from July 2007 – March 2008, Washington State Centre for Court Research: Administrative Office of the Courts.

In my first research I grounded on studies 1-published on scientific reviews of international repute

2-widespread enough to allow a statistical evaluation

3- without geographic connotations (not only USA)
4-possibly with metanalytic features
(critical analysis of other researches)

It involves more than 200.000 children

Robert Bauserman, Health Department USA,
Maryland - 2002: "Child Adjustment in Joint-Custody
Versus Sole-Custody Arrangements: A Meta-Analytic
Review," Robert Bauserman, Ph.D., AIDS
Administration/Department of Health and Mental
Hygiene; Journal of Family Psychology, Vol 16, No. 1.

It compares 1846 sole custody vs. 814 jointalternating custody (at least 25% spent by parent 2) Seven measured parameters::

1-general psychic assessment

2-behavioral adjustment

3-emotional adjustment

4-self esteem

5-family relationships

6-academic performances

7-psychic wellness until the divorce

Globally examinated and compared (between 1982 and 1999) 1846 children in sole custody and 814 in joint custody (time spent with parent 2 from 25% to 50%)

Bauserman metanalysis included 33 researches

4 comparing sole versus alternating custody

21 comparing physical joint custody (25% to 50% of the time) versus sole custody

6 comparing <u>sole custody</u> versus <u>joint custody</u> with times unspecified but according to common definition of the parents

2 comparing <u>alternating</u> versus <u>joint custody</u>

1-The "joint custody" gave in the children better outcomes independently from external variances and identity of the person completing the measure (fathers, mothers, teachers, physicians, psychologists etc) WITH STATISTICAL VALIDATION

- 2- A –the parental conflict was smaller between the groups in joint custody
- B –a lower conflict between the parents couldn't allow to foresee a better assessment.
- What was very important seemed to be the joint custody, <u>not the</u>
 <u>low level of the conflict.</u>

The comparison between physical joint custody and children with intact families didn't show any difference (qualitative or quantitative)

Beata Jablonska B.Sc – Lindbergh Risk behaviours, victimisation and mental distress among adolescents in different family structures Social Psychiatry and Psychiatric Epidemiology August 2007, Volume 42, Issue 8, pp 656-663

Postive influences (in 15.428 children 11-13-15 years old) about use of drugs, alcool, smoke, mental distress and victimisation -measured by experiences of exposure to bullying and physical violence-

Best outcomes of equal co-parenting had been (with statistical validation) on <u>mental distress</u>.

Sweden statistics 2009. Survey of the swedish gouvernement http://www.socialstyrelsen.se/publikationer2012/2012-5-15

Less risks for children in alterning domicile compared with children with other kinds of custody about:

Bullying
Lack of satisfaction about the school
Psychic disease
Low quality of life (they are richer than the counterparts)

AUSTRALIA: co parenting and shared custody when the parents don't agree became first option in 2006: in few years equal custody reached 16% of the children

Effects on conflicts are evident: the claims to Family Court decreased suddenly:

ar	Family Court	Federal Magistrates
03-04	45,004	70,261
04-05	37,394	73,85
05-06	35,066	73,28
06-07	27,313	76,80
07-08	20,337	77,16
08-09	18,633	79,44

Life Satisfaction Among Children in Different Family Structures: A Comparative Study of 36 Western Societies (184.496 minors in Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Lettonia, Lithuania, Luxembourg, Macedonia, Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and the United States) CHILDREN & SOCIETY VOLUME 26,

This paper examines differences in life satisfaction among children in different family structures in 36 western, industrialised countries (n = 184 496).

Children who lived half the time with their mother in one household and half the time with their father in another household were classified as living in joint physical custody.

1- Children living with both biological parents reported higher levels of life satisfaction than children living with a single parent or parent–step-parent.

2- Children in joint physical custody reported significantly higher levels of life satisfaction (CLOSE TO INTACT FAMILIES'S CHILDREN) than their counterparts in other types of non-intact families.

http://www.socialstyrelsen.se/publikationer2012/2012 -5-15

GOVERNATIVE SWEDISH REPORT: CHILDREN WITH ALTERNING RESIDENCE HAVE LESS RISKS ABOUT 1-BULLYING 2-SATISFACTION IN THE SCHOOL 3-LOW QUALITY OF LIFE 4-MENTAL HEALTH

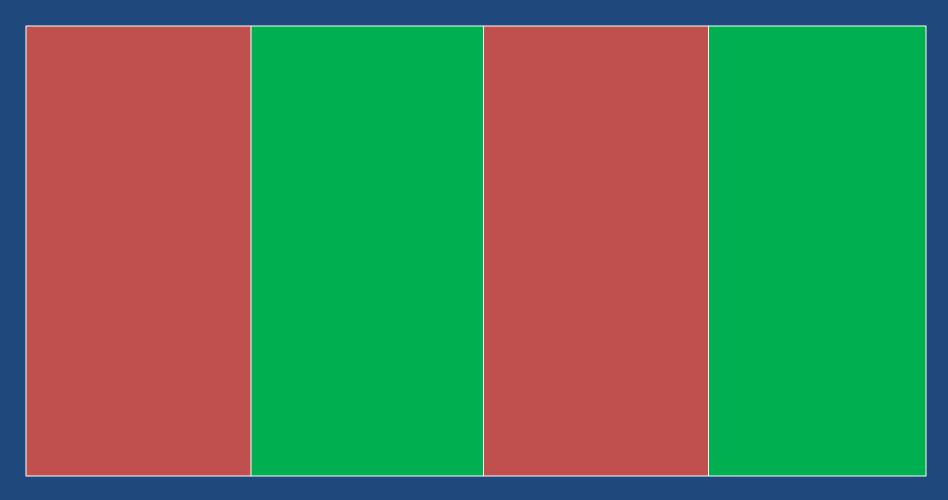
Court of VARESE"IN ACCORD TO OUR JURISPRUDENCE THE COURT DOESN'T AGREE ABOUT TIME FRAGMENTATION, ASSUMING IT'S DESTABILIZING" (Judges Anna Giorgetti, F.Paganini, C.Leotta)

Court for children of MILAN: The changing of domicile and of managing of daily deal causes the loss of steady reference points... Alterning domicile can produce negative effects on minors. (Daniela Guarnieri et al.)

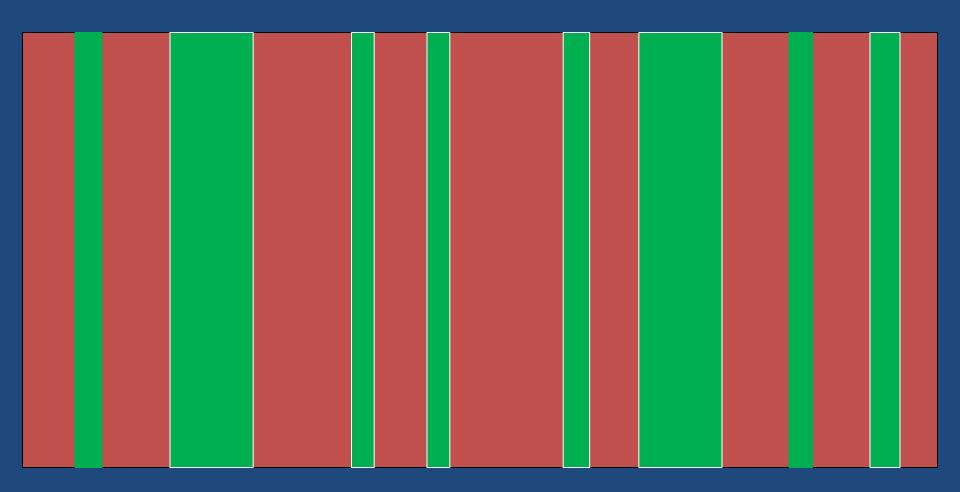
Court for children of TRIESTE: «It's our steady jurisprudence not allowing the alternating custody, neither if the parents live in different flats of the same building»!!! (Paolo Sceusa et al.)

AND THE FATHER LOSES THE CUSTODY JUST TO HAVE ASKED!

IN NAME OF STEADYNESS THE JUDGES DENY ALTERNING WEEKS: 4 MOVEMENTS



ma2 v 2 d ma2 gio2 ma2 v 2 d ma2 gio2
TWO WEEK ENDS MORE 6 AFTERNOON: 16 MOVEMENTS



Equal custody in Europe:

SECTION 1	Sweden	Exact time division > 25%
SECTION 2	Belgium	Exact time division > 20%
SECTION 3	France, Denmark, Spain	Exact time division 8-20%
SECTION 4	UK, Germany,	Exact time division 3-8%
SECTION 5	Romania, Austria, Czech Republic, Slovakia, Italy, Greece, Switzerland, Portugal	Exact time division <3%

Italy, Switzerland, Greece, Austria, Germany	France	Sweden Spain,Belgium,Denmark
Tzech Rep., Slovakia		
UK, Romania		
Portugal		

Physical joint custody conceirns <15% of minors 15% < Physical joint custody <30%

Physical joint custody>30%

Switzerland	UK	Sweden
Austria	Italy	Belgium
Czech Republic	Portugal	France
Slovakia	Greece	Germany
	Romania E	Spain
		Denmark

Estimate average amount of time to be spent with the second (lessinvolved) parent LESS THAN 16% BETWEEN 16% AND 20% OVER 20%

THIRD TAKE HOME MESSAGE: it seems — especially in mediterranean area- that there exists a thick wall between the world of the Science and the world of the Right.

Less evident in Scandinavia or USA (Washington, Wisconsin, California) where the scientific outcomes enter more easily the Courts and the judges love a more pratical and less theoretical approach.

FOURTH TAKE HOME MESSAGE: European children are treated too differently according to their nationalities and the legal system they are subjected to. It is necessary to make practices more harmonised by taking example from most advanced countries. Considered the consequences on children's psychological and physical health, this might be possible only by replacing the dominant "sectionalist" legal language with a more universal scientific language allowing all children to have an equal right to health.

S

But the juridical language dominates... EUROPEAN COMMISSION DIRECTORATE-GENERAL JUSTICE ectorate C: Fundamental rights and Unic

Directorate C: Fundamental rights and Union citizenship

The Director

Brussels
JUST/C1 /MT/vh/1249852s

Within the policy framework of the 2011 Communication "An EU Agenda for the Rights of the Child"1 and with the support of the European Parliament, on 1 September 2012, the European Commission has launched a study to collect data on children's involvement in judicial proceedings (administrative, civil and criminal justice) in the 27 EU **Member States and Croatia.** The study will run from September 2012 to **September 2014** to establish statistics and collect data based on structural, process and outcome indicators on children involved in criminal, civil and administrative judicial proceedings for the years 2008-2010 (and 2011)

if available) for all 28 countries in order to provide

Children involved in parental divorce proceedings

Number of children involved in parental divorce proceedings during a 12 month period

Rate of children involved in parental divorce proceedings (per 100,000 child population 0-17 years) during a 12 month period

Custody awards to a sole parent

Number of custody awards to a sole parent, disaggregated by mother/father during a 12 month period

But the problem is not only the sole custody or the legal joint custody... these are formal features. In fact...

The problem, the core is the time:

"Children do not care if their parents adopted joint custody, sole custody, parental responsibility. Children only care about the amount of time they will be allowed to spend with their parents after divorce"

J. Garcìa Sanchez.

Example:

Italy (89%) and Sweden (93%) have the same rate of legal joint custody but about 30% of swedish children live 50-50 by their parents after divorce (only 2% in Italy...)

Our judiciary systems move for (or behind) the paramount interest of the children but often we ask spontaneously ourselves:

«How was this paramount interest defined in the beginning?»

Following the scientific evidences, the stranger experiences, the international literature?

FIFTH TAKE HOME MESSAGE:FOR SURE NOT,

BECAUSE EVERY SYSTEM CHOOSES A

DIFFERENT PARAMOUNT INTEREST!!

Or following the old habits, the personal opinions, the prejudices, the ideologies? IN ITALY WE HAVE FOUND 57 KINDS OF PRE PRINTED SCHEDULES ORIENTEERING THE DIVORCE WHEN THE COUPLE DIDN'T ENTER THE COURT YET!

Esempio 1 – Tribunale di Civitavecchia

	Il Presidente (4)
	Dato atto di quanto sopra, decide in via provvisoria:
	1) autorizza i coniugi a vivere separati;
	2) affida la casa conlugale al con la facolta per
	prelevare gli effetti personali entro trenta giorni da oggi;
	3) affida il minore alla con la facoltà per il padre di vederlo e tenerlo
	con sé;
	1) stabilisce che il marito versi alla moglie, per il mantenimento della stessa e dei tigli
	94 10
	Esempio 3 – Tribunale di Brescia
	RICORSO PER SEPARAZIONE CONSENSUALE DEI CONIUGI
	 I figli vengono affidati congiuntamente ad entrambi i genitori, con residenza presso la madre che si occuperà della ordinaria amministrazione;
	3. Il padre li vedrà quando lo desidera, previo accordo, e li terrà con sé ogni settimana il giorno (con pernottamento
4	 Il padre verserà alla moglie, a titolo di contributo per il mantenimento dei figli minori, un assegno mensile di € (Euro

But almost all the western world plays the same role when we talk about male parenting

The difference is in the courage of admission:

A governative report has highlighted that french judiciary system shows index of discrimination of parents according the sex: the report talks even about dissuasion to fatherhood!

http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/114000300/0000.pdf

The report claims that, although the law on joint custody, only 14% of minors has physical joint custody and only 7% of custodies is granted to fathers

And (for example) in Italy?? Alterning custody under 2%

o,8% after the separation and 1,9% after the divorce http://www.istat.it/it/archivio/66665

What do the children think?

YOUNG ADULTS' PERSPECTIVES ON DIVORCE Living Arrangements

William Fabricius and Jeffrey Hall 2000, Univ.Arizona Family And Conciliation Courts Review, 38 (4): 446-461, 2000

820 respondents wanted to have spent more time with their fathers as they were growing up,

The living arrangement they believed was best was living equal time with each parent (93% between young who had experimented, 70% between other ones).

The thoughts of children according to italian judges:

The children, especially teenagers, are lazy and they prefer one living reference point; even more because they don't have the same personal belongings in both the houses.

(Official document of Upper Council of Magistracy

http://www.minoriefamiglia.it/download/RELAZIONE%20CSM%208%20MARZO%20AFFIDAM ENTO%20CONDIVISO%20e%20ESCLUSIVO%2027%20marzo.pdf)

So personal belongings... are worth more than one parent.











CHRISTMAS 2011: NEL NOME DEI FIGLI ENTERS ITALIAN PARLIAMENT.



Conferenza Stampa

dell'affido condiviso"

Presentazione del progetto di legge.

del Senatore Sergio Divina Lega Nord



Martedì 10 Dicembre 2013 h.14/15



Roma, Senato della Repubblica Sala Caduti di Nassirja, Palazzo Madama

Introduce e modera

Dott. Massimo Rosselli del Turco, Portavoce Parlamentare di Colibri Italia Intervengono:

Sen. Sergio Divina, Lega Nord;

Dott. Vittorio Vezzetti, Referente Scientifico European Platform for joint custody Colibrì

Avv. Simone Pillon, Forum delle associazioni familiari

Chiusura Conferenza: Roberto Buffi, delegato nazionale A.le F.

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