



## **Children's Rights Initiative for Shared Parenting (CRISP)**

Children Rights Initiative for Shared Parenting (CRISP) is an NGO formed in Bangalore to create awareness in the society about the paramount importance of a child's welfare in a child custody case between erring parents primarily, along with other areas of welfare of children in the broader sense of the physical well being and mental and emotional stability and to promote social and spiritual welfare and education. It is just impossible for a single parent to fulfill the rising demands of children so both the natural parents have to mandatorily co – operate in raising their children in spite of their separation as spouses and individual differences. CRISP is announcing the launch of its new chapters in Delhi, Lucknow and Nagpur and Hyderabad in the first round. Our mission is to open local chapters in all metro cities and tier II cities around the country.

Of late the social institution of marriage in India seems to be crumbling as is evident from the increasing number of divorces especially in urban India. Recent studies have shown 2 out of 5 marriages end in divorces in Mumbai and 10 divorces are filed on an average in a day in Delhi as shown in various media reports. There are also a large number of fathers who are forced to live separately without filing for divorce, as getting divorce legally, if contested, is extremely difficult. The immediate consequence of such a fallacy reflects on the upbringing of the child from the wedlock. Since children become the objects and objectives of the ego war between erring parents and a tool for bargain, the custody battle becomes a heinous poison which strangulates innocent childhood in the precincts of a litigating corridor.

Today on November 14, 2008 CRISP is happy to launch its local chapter in Delhi. CRISP believes this day being an auspicious one as celebrated in India as **Children's Day** on account of birthday of our beloved Pandit Jawaharlal Nehru, is an ideal day for launching a new CRISP chapter. For Nehruji was a fantastic father as is evident from his letters to his daughter reading which she became one of the most prominent prime ministers in Indian History being known as Iron Lady. He has personified the well known saying, "One father is better than 100 teachers" and emphasized the presence of a father in a child's upbringing and training to become a good human being.

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Our aims and objectives are based on research findings worldwide which indicate that children do best when both parents are actively involved in their lives, even after separation or divorce. We believe that conflict between parents will get reduced and the mental and emotional health of children will improve, when divorcing parents can be assured of equal and meaningful contact with their children. As the same is corroborated by reliable statistics from all over the world show that children brought up in a fatherless society, by depriving children from their fathers, are

- 5 times more likely to commit suicide
- 32 times more likely to run away from home.
- 20 times more likely to have behavioral disorders
- 14 times more likely to commit rape.**
- 9 times more likely to drop out of high school.
- 10 times more likely to abuse chemical substances (become drug addicts)
- 9 times more likely to end up in a state-operated institution
- 20 times more likely to end up in prison.
- 3 million teenage girls have sexually transmitted diseases
- At least 1 out of 4 teenagers (between 14years to 19years) suffers from sexually transmitted diseases.

It is important for all citizens of the nation to wake up to stop a future social catastrophe as it has happened in western countries. We have to learn from the social experiments in America and Europe and stop repeating the mistakes western countries did in last 30 years. What happened in the 70s in the Western society is being replicated in India in the current age. Today, billions of dollars are spent in those countries to tackle the behavioral problems. In fact, this is a major issue in most election campaigns in those countries as billions are spent on it. If a child is denied care of father as at present and if India becomes a fatherless society, then it will simply create more criminals, rapists and drug addicts in next 15 years (as shown in the statistics above). The entire social fabric and culture will be in ruins and the damage will be irreversible. So, CRISP members want to stop this social catastrophe and save the future generations from narrow mindsets.

CRISP was born on Jun 14 2008 on the pretext of Father's Day. As is mostly seen in child custody cases mothers are generally favored over fathers and the child is deprived of the father's love which creates an unnatural imbalance in the child's life and in many cases, because of the

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undue sentimental balance towards women, tangible evidences are ignored leading to grave injustice to men. In order to curb the same and ensure proper child growth, 50 fathers joined hands in Bangalore to form CRISP and in four months CRISP is happy to have expanded to 500 members including women who realize the importance of both parents in a child's upbringing. There are many NRIs who have benefitted from the counseling they received from CRISP members.

As per the brilliant work done by R.A. Gardner Parental Alienation Syndrome has been identified as a serious psychological disorder who has defined it as,

**“The parental alienation syndrome (PAS) is a disorder that arises primarily in the context of child-custody disputes. Its primary manifestation is the child's campaign of denigration against a parent, a campaign that has no justification. It results from the combination of a programming (brainwashing) parent's indoctrinations and the child's own contributions to the vilification of the target parent”**

*(Excerpted from: Gardner, R.A. (1998). The Parental Alienation Syndrome, Second Edition, Cresskill, NJ: Creative Therapeutics, Inc.)*

Basically, this means that through verbal and non verbal thoughts, actions and mannerisms, a child is emotionally abused (brainwashed) into thinking the other parent is the enemy. A child quickly understands that they have to live with custodial parent, and thus they have to act accordingly as per her or him, in dealing with the persons who have just got visitation rights in courts. This ranges from bad mouthing the other parent in front of the children, to withholding visits, to pre-arranging the activities for the children while visiting with the other parent. More details can be found at <http://www.paskids.com/>.

This has been the study of CRISP that members suffering from custodial concerns of their children fear their children developing Parental Alienation Syndrome. In the best interests of the children who are the future of the society and the country CRISP urges the society and the government to understand the problems of children facing litigating parents and work for their welfare.

CRISP is working with eminent social workers on filing a Public Interest Litigation (PIL) in the Honorable Supreme Court. This will PIL will be focused on the prayer to the Honorable Supreme Court to issue universal guidelines applicable all over India to determine the parameters of child welfare and issue guidelines for deciding best interest of children. The PIL is in its advanced stage and will be filed soon.

In addition to the above contentions CRISP has presented an online petition to the Honorable Chief Justice of India, on 12<sup>th</sup> Oct 2008, some of the salient points of the petition, which are also the demands of CRISP from the Government, are:

- 1) Give due consideration to the presence of a father in a child's upbringing not only as a name but also as the natural guardian and also give fathers a fair chance to win custody cases.

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- 2) India should also be a signatory to the International Hague Convention for honoring foreign court judgments in India.
- 3) Define Parental Abduction as a heinous crime and prescribe strict punishment for it by describing it as a cognizable, non – bailable and non – compoundable offense.
- 4) Orientation programs for judges of family courts to be conducted by psychologists to make them understand child related issues in a scientific and methodical manner.
- 5) Child custody issues to be disposed off within 6 months of the date of application, or at least visitation be granted to the non – custodian parent (fathers generally) in two hearings or three months whichever is earlier from the date of application and the granted visitation be of such nature so that it can build a sustainable parent – child relationship between the child (ren) and the non – custodian parent.
- 6) Child interviews should be conducted for complex cases only after the child has been allowed to spend nearly equal and quality time with both the parents and such interviews be limited to adolescents only and then too the interview be viewed as a guiding evidence only and not a primary one and to avoid brainwashing of children’s mind. Ascertaining the choice of children to select a parent is a **cruelty** of highest order.
- 7) The Supreme Court needs to emphasize on the need for a separate child welfare ministry separating it from the current clubbed scenario of Women and Child Development Ministry.
- 8) The courts also need to sensitize themselves to the fact that grandparents have more love for their grandchildren and they should not be deprived of that. Also grandparents have additional time and dedication to impart values to the children out of natural affection instead of expecting the servants who obviously spend maximum time with the children to teach morals.
- 9) The court is the ultimate guardian of the child welfare. Any the change of circumstances needs to regularly reflect in the timely orders passed by the court as custody orders by its very nature cannot be a final order.
- 10) Guardianship courts should be opened specifically for custody matters. So that custody matters are not mixed up with marital problems and appoint counselors and psychologists to conduct regular welfare checks on the growth and upbringing of the children and send reports to the courts.

Lastly as a parting note CRISP would be interested to suggest the following model for shared parenting:

**Model 1:** In case of matters where both the parents are fit to take care of the children and

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residing in the same city, the child can stay with one parent during the weekdays i.e. from Monday to Friday and with the other parent during the weekends from Saturday morning to Sunday evening so that the child will get accustomed to both the households.

**Model 2:** In case of parents not residing in the same city, the child can be given on merits, taking into account the interest of the child, to the mothers and all school vacations, festivals, family occasions, birthdays, etc. the child can spend quality time on a 50 – 50 basis with both parents.

**Model 3:** In case the child is of tender age, the child may be with mother under normal circumstances under generous visitation rights to the father sufficient to build a sustainable father – child relationship with unlimited access.

With the above models, compulsory counseling has to take place to parents to educate them about the ill – effects of forced single parenthood. Any habitual willful disobedience of the custody orders be viewed seriously and should automatically result in transfer of primary custody of the child from the custodian parent to the non – custodian parent. The situation needs to be monitored by the court. Also disqualification of any parent should be evidence based and not allegation based and the courts need to be gender neutral and promote shared parenting in the best interest of the child.

CHILDREN NEED BOTH THE PARENTS BEST PARENT IS BOTH PARENTS

Thanks and Regards  
CRISP Team

Local Ground Support by Gender Human Rights Society (Regd.), Save Family Foundation (Regd.) and All India Forgotten Women (Regd.) NGOs

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