

The Exercise of Parental Right after Separation or Divorce: The Acts Related to Child Welfare in England before 1989

Yann-chun Wu

Abstract

The Custody Order in England has been implemented for more than one hundred years. As such order stands for a redistribution of the exercise of parental right following separation or divorce, it has had a large influence on the children before the Children Act 1989 passed. The party obtaining the grant of the Custody Order enjoys a dominant position in connection with the matters related to his/her children. The paper emphasizes the legal resources, the policies, and the development of the Custody Order in England, which is also compared with the guardianship in Taiwan. Fewer materials available about the exercise of parental right in Taiwan created difficulties for decision-making. Therefore, the experience of the Custody Order in England shall provide valuable lessons to us.

Key Words: guardianship, joint custody, split custody, custodianship order, sole custody, supervision order, residence order, the Children Act 1989