“Virtual Parenting” After Separation and Divorce

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The rapid increase in the use of communication technologies, such as text messages, instant messaging, email, social networking sites, Skype, FaceTime and webcams, has provided a variety of new ways for parents to maintain their relationships with their children and manage family responsibilities after separation and divorce. At the same time, the increased use of these methods has also created a new area of discussion and debate about the risks and benefits of this type of “virtual parenting.” Issues such as safety and vulnerability, the ability to use technology, and privacy and confidentiality for the child and each parent are only some of the considerations both for the family justice professionals who recommend virtual contact and for the courts that decide on these types of parent–child contact orders.

Families use technology to maintain ties after separation and divorce

Despite the increasing use of smartphones and online communication technologies, there are few studies about whether this “virtual” contact has an impact on children and their parents after separation and divorce, and what the nature of this impact could be.

Research to date has found that many parents report that using technology has a positive impact because it allows them to be able to stay connected to their children, though some negative aspects were discussed as well, such as sadness about being a “virtual parent,” and the challenges in navigating tensions in keeping the communications private from the other parent and not interfering in the daily activities of the other parent’s household.

One study found that children and youth preferred face-to-face contact and reported difficulties maintaining contact regardless of the type of virtual technology used (e.g. Skype, email, texting, FaceTime). This was due to factors such as issues with phone lines, a lack of immediacy with email contact and time differences as a result of the geographic distances.

The results of these studies highlight both the strengths and challenges parents and children experience in using technology to maintain their contact after separation and divorce. However, they don’t provide a complete picture, as they do not differentiate between parents who communicate well with each other and those who have more conflictual communication resulting from factors such as problem-solving difficulties, a lack of trust and instances where there may be family violence concerns after their separation and divorce.

Diverse perspectives provide fuller insights on “virtual parenting”

A 2018 study provided new insight by incorporating the perspective of legal and mental health professionals, who were surveyed on their views and experiences of using virtual technology after separation and divorce. They found mixed results, particularly with high-conflict families that could not cooperate and in situations where there was interference with the former partner’s parenting time during virtual parent–child contact.
As part of a broader research agenda examining children’s participation in separation and divorce matters, two follow-up studies funded by the Social Sciences and Humanities Research Council (SSHRC) were performed exploring the use of virtual technology to maintain contact between parents and children after separation and divorce. The first study surveyed 166 family justice professionals (e.g. mental health professionals and lawyers) about their experiences with online technology in general and their views on virtual technology as a means of parent-child contact.

Two key questions provided unique insights into experiences with virtual technology after separation and divorce:

- What do family justice professionals believe are the challenges and benefits regarding the use of technology as a means of parent-child contact?
- What types of conflicts, if any, do adults and children report as a result of using any type of technology for parent-child contact?7

The second study explored the same topics from the perspective of parents and children,8 aiming to shed light on how modern families maintain and manage relationships after separation and divorce.

While the sample sizes were small in both studies, they are the only ones to date that explore the multiple perspectives (e.g. mental health professionals, lawyers, children and parents) using multiple research approaches (e.g. surveys and interviews) to learn more about the views and experiences of children and parents who use virtual communication to maintain contact after separation and divorce.9

Children and parents see benefits and challenges associated with virtual contact

One of the recurring themes in the discussion with parents on the benefits was that it can reduce conflict between the parents. As one respondent said, “[I]t cuts down the number of conflicts that can be brought up, which tends to happen when you have swaps...” As with previous research, parents reported that technology has facilitated contact with their children:

“...once we started using this technology [FaceTime], it made all the difference in the world, because she can see me, I can see her, we talk [...] if I am away at work, I can show her where I am and make her feel she’s there with me.”

Despite this benefit, parents also reported several sources of conflict, ranging from relatively minor (e.g. when the resident parent interrupts a child’s contact time with the non-resident parent) to more serious concerns about safety (e.g. non-resident parent having access into the resident parent’s home) and confidentiality (one parent said they were “not sure [they like their] child being online and an open communication as there is no real privacy and worry about pictures being taken and then sent somewhere”).

Interview questions about the experiences of children also provided valuable insight into the use of virtual technology as a means of parent-child contact after separation and divorce. Feelings of closeness to the non-resident parent were reported, along with reservations about virtual contact.

“While it is really great to see my dad,” one child was reported to have said, “I want to feel him near me as well.” Another echoed this sentiment of longing for the non-resident parent: “One thing I don’t like about this [virtual contact] is I can’t actually see him in person... it’s sad, but good at the same time.”
Interference with access time and privacy also emerged as themes (“My mom is always asking me how it’s going and how long will I be online with my dad”), as well as availability of the non-resident parent (“I am supposed to call [FaceTime] on Monday and Wednesday; most of the time I can’t really make it, but it creates problems for my dad, who gets upset”).

Family justice professionals see risks and rewards in “virtual contact”

Family justice professionals were also asked to comment about the benefits and challenges of the use of communication technologies as a means of facilitating contact between separated and divorced parents and their children. Below is a snapshot of some of their comments on the risks and rewards:

“Technology can be a valuable tool for facilitating communication and connections when used properly, while at the same time presenting a heightened risk when used improperly and in an unsupervised manner, particularly for young or impressionable children who are caught up in their parents’ conflict deliberately or inadvertently.”

“I think it would be helpful in maintaining a parent–child relationship when one parent lives a significant distance away from where the child resides.”


“It is a source of evidence about the parent’s ability to cooperate and whether they can reasonably make decisions about the child’s best interests. More rarely, it is also used to establish a prior inconsistent statement. The benefits are significant, since the lack of physical presence can assist clients to calm down in high-conflict cases. At the same time, some clients incorrectly try to use the medium to set up traps for the other parent or engage in what they see is a strategic manoeuvre in litigation.”

Parent and children reports to family justice professionals

To explore the issue of conflict in the parental relationship that may or may not facilitate virtual contact, all family justice professionals were asked to report how often, if ever, their adult and child clients report conflicts (e.g. privacy concerns, safety, confidentiality) during virtual contact such as Skype, FaceTime and WhatsApp.

The parents reported to family justice professionals that the majority of conflicts occur more often as a result of the other parent listening in on their conversation with the child (60%); the other parent alleging that the child is busy doing something else at the designated time (35%); the child not being available for the call at the designated time (41%); and the other parent saying that they do not know how to use or set up the technology (4%).

When asked to identify any other types of conflicts raised by parents, they said that conflicts also occur over the costs of the use of technology and who pays for it; concerns over rural areas where technology is unreliable or too expensive versus urban areas; one parent using the child to harass the non-custodial parent about child support issues; and some parents reporting that they do not want their child using technology because of safety and confidentiality concerns.

The results of this survey are similar to the 2018 study by Saini and Polak, who found that while there were benefits reported by the family justice professionals about using technology to maintain parent–child contact after separation and divorce, there were also challenges such as privacy concerns, safety issues and families experiencing high conflict who may require specific protocols to be put in place to mitigate these concerns.
When surveyed about their child clients, the majority of lawyers and mental health professionals reported that children said they “sometimes” experience conflict over the use of Skype, FaceTime and so on, with the most common conflict being that they’re busy and “do not want to talk at that time” (55%); the child(ren) not having a lot to say to the other parent and the other parent getting upset (45%); and the other parent listening to their conversation during parent–child contact (39%).

When asked to identify any other types of conflicts raised by their child clients, they reported that conflicts also occur over the non-resident parent asking the child questions about the resident parent; the parents arguing with one another during the call; the other parent not being available when the child calls; and the number of text messages and inappropriate content being sent to the child, including both verbal and emotional abuse by the non-resident parent.

Shining light on diverse experiences after separation and divorce

This is the first study incorporating multiple perspectives on virtual technology as a means of parent–child contact after separation and divorce from parents, children and family justice professionals. The findings highlight both risks and rewards depending on the different perspectives (i.e. mother, father, children, mental health professional, lawyer). They also highlight the need for more direction in their family law practices at a time when virtual parent–child contact is being increasingly recommended by family justice professionals and the court as a means of parent–child contact after separation.

A number of concerns were highlighted by parents reporting to their lawyers about virtual parent–child contact. These were related to the other parent listening in on the conversation as well as having to be responsible for making sure the child is available at the specified time. In the parent telephone interviews, the greatest concerns centred on safety and the resident parent feeling vulnerable during virtual contact as well as on privacy issues. That is, parents raised concerns regarding being blocked from access to the technology being used by the non-resident parent and the child, invasion of privacy and feelings of being monitored (e.g. the resident parent as well as the non-resident parent) and the unfettered virtual access to the resident parent’s home as a result of the use of technology. This latter theme raises particular concerns for high-conflict parents and especially for those families in which there may also be issues of domestic violence (e.g. stalking).

Nevertheless, there were also a number of benefits highlighted as a result of virtual contact in both the parental reports to their lawyers as well as in the parent interviews. The greatest benefit raised by each parent is that it facilitates an ongoing parental relationship and that it can provide reduced hostilities between the parents, because they have no contact with one another other than organizing the call if the child requires adult assistance.

While it is important to hear diverse perspectives (e.g. children, parents, lawyers, family justice professionals) about this use of technology, more research is needed to determine what impact, if any, there is in relation to factors such as cultural nuances, barriers to using technology (e.g. rural versus urban areas) and the relative burdens and cost (i.e. emotional and financial) to parents providing the technology. It is equally important to examine the safety risks underlying the use of virtual communication tools, especially when high-conflict cases and family violence are of concern.

Our understanding can also benefit from unpacking some of the underlying assumptions about parenting via the virtual world. For example, what does “virtual parenting” mean to children and young people in particular?
Finally, the two studies raise important cautions and considerations for family justice professionals and the court when virtual technology is being recommended as a means of contact after separation. That is, at minimum, consideration should be given to factors such as the child’s age and the length of the contact time; the degree of parental assistance required to facilitate virtual parent–child contact; whether the child has any special needs and resulting degree of parental support required; the type and degree of conflict between the parents; the type and degree of domestic violence concerns (e.g. stalking); financial costs; the separation of aspirational from practical and feasible parenting plans; children’s views on virtual parent–child contact before court orders or agreements are made; and mechanisms to follow up on whether and how virtual contact is working for the children.

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4. Yarosh et al.
8. Ten children (six females and four males), ranging in age from 4 to 12 years of age, and seven parents (five mothers and two fathers) were interviewed. Of the seven parents, three are paired with the children’s interviews. All the children used either Skype or FaceTime with their non-resident parent. The parents were separated and/or divorced between 2 and 5 years. Eight of the children lived in the primary custody of their mother, one child lived with the father and one child lived in a shared care parenting arrangement. Five of the parents had some form of court-ordered virtual parent–child contact using either Skype or FaceTime with the non-resident parent, and the remaining (including children) reported that they made their own arrangements about using virtual technology for parent–child contact.
9. In total, there were 166 professionals surveyed online: 125 women and 30 men, with an average of over 55 years of age. (Note: Not all professionals identified their gender or age, which is why the gender breakdown of survey respondents does not total 166.) The majority identified themselves as a lawyer, 77 (48%); psychologist, 9 (6%); or social worker, 58 (36%). The remaining professionals identified themselves as managers of counselling agencies, supervised access facilitators, working in probation and family justice providers. The lawyers and psychologists all had over 20 years of experience and the social workers had up to 5 years of experience in family justice matters. The lawyers reported their practice focused mainly on representing adult clients in parenting disputes (29%), in child welfare disputes (17%), representing child clients (37%) of the time and the remainder of their practice was devoted to wills and estates and real estate matters. Overall, the family justice professionals were highly experienced, spending a significant amount of time in their practice representing adult and child clients in family justice matters.