



OÑATI INTERNATIONAL INSTITUTE
FOR THE SOCIOLOGY OF LAW
—
OÑATIKO LEGE-SOZIOLOGIAKO
NAZIOARTEKO ERAKUNDEA
—
INSTITUTO INTERNACIONAL
DE SOCIOLOGÍA JURÍDICA DE OÑATI

WORKSHOP ON

"Justice and Welfare in Family Law: moving towards separation or symbiosis?"

23-24 July 2026

COORDINATORS **Mavis Maclean** (CBE, Senior Fellow St Hildas College University of Oxford and Senior Research Associate of the Department of Social Policy and Intervention, University of Oxford)
Bregje Dijksterhuis (Assistant Professor in Family Law University of Amsterdam, Netherland)

MEETING ROOM [Geolocation of the Historical Archives from the Antia Residence and passing through the Old University building](#)

Programme

Wednesday 22nd July 2026

Arrival
21:00 Welcome dinner for the participants [*Oñatiko Batzokia Jatetxea - Street: Foruen Enparantza, 9*]

Thursday 23rd July 2026

08:30 - 09:00 **Registration**

09:00 - 09:15 **OPENING**
Camilo Umaña, IISL Scientific Director
Mavis Maclean and Bregje Dijksterhuis, coordinators

09:15 - 10:30 **Part 1 – From Justice to Justice with Welfare? The backgrounds**
Chairs: Mavis Maclean and Bregje Dijksterhuis

Mavis Maclean: The movement away from strict rule enforcement towards the promotion of welfare paramountcy in English family law, culminating in the Children Act England and Wales 1989 and CAFCASS.

Bregje Dijksterhuis: The widening scope of family law to encompass responding to the needs of children suffering from financial need in the Netherlands, with reference to the child benefit scandal.

10:30 - 11:00 **Coffee break**

11:00 - 12:30 **Part 2 – New developments**

This session notes recent contributions from social science approaches to the development of this broader approach to the role of family law: this began with the development of social policy (see Session 1), and continues to develop through legal sociology and now the emergence of legal epidemiology in understanding resort to court and sociological observation of children.

Chair: Mavis Maclean

Matthew Jay: An example of Medical epidemiology: Health indicators in the parents of children becoming involved in child protection court cases in England and Wales: current research in UK now looking at fathers.

Julietta Marotta: Empirical sociology: A realist evaluation of the welfare system around children in care homes.



Thursday 23rd July 2026

12:30 - 14:00 **Lunch break** [*Cantina Zapore*]

14:15 **Leire Kortabarria**, IISL Publications officer

14:30 - 16:00 **Part 3 – The changing frontier between court and welfare services**
Chair: Bregje Dijksterhuis

Thomas Meysen: Internationally compares the interplay in decision-making in child protection between courts and the child and youth welfare system. The principle of proportionality requires that, in cases of out-of-home placement, the need for protection cannot be met by providing support to the family without removal of the child. Both systems are interdependent, but the countries handle this relationship differently.

Annette Kronborg and Christina Jeppesen de Boer: Examines the organisational structure of the relationship between family law and social work in the Netherlands and Denmark with domestic violence as a case.

16:00 - 16:15 **Coffee break**

16:15 - 17:45 **Part 4 – Chair: the working practices of the professionals, starting with the judiciary**
Chairs: Mavis Maclean and Bregje Dijksterhuis

Teresa Piconto: "How judges interpret the children's best interests regarding joint custody or visitation and communication arrangements in cases of gender violence in Spain."

Comments from Encarna Roca

Malgorzata Fuszara and Jacek Kurcowski discuss the way in which the different professional groups (including judges) worked together when responding to the urgent needs of the refugees from the Ukraine.

Friday 24th July 2026

09:00 - 10:00 **Part 5 – The Social Context**
Chairs: Mavis Maclean and Bregje Dijksterhuis

Maitena Arakistain Arriola: "Protecting the best interests of the child in disputed contact cases involving domestic or gender-based violence: Has Spain got it right?"

10:00 - 10:30 **Coffee break**

10:30 **Richard Ingleby and Belinda Fehlberg** consider whether recent changes to Australian post-separation parenting laws away from focus on shared parenting outcomes and toward children's best interests and safety represent a shift from 'Justice' to 'welfare', a symbiosis, or something else.



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Friday 24th July 2026

11:30 **Round Table discussion** on how law is changing, moving away from enforcing religious or political codes, to supporting the needs of families. Though the language of social workers and lawyers remains far apart, (ref to Pollack) do their ultimate goals seem nearer closer? There is a need for more social research on who is doing what and the New Issues arising including PA, dv.

12:30 **Plans for publication!** The overall structure of the work presented considers the move from law to welfare and law, the changing boundaries for intervention, the judiciary becoming closer to other professionals, and family justice becoming an integral element in family policy and social policy.

13:30 Close and thanks!

14:00 **Lunch break** [*Cantina Zapore*]