

Preface

The idea for this project, and so this book, originated in our growing awareness of two things. First, that the courts' decisions about appropriate basis for dividing wealth on divorce or allocating ownership of property on separation were being increasingly influenced by how parties (are perceived to) organise their lives while together and by what that was supposed to indicate, for example, about their intentions regarding ownership or about the economic impact of relationship breakdown, but that the judges were not always apprised of all the research data necessary to make a fully informed decision about those issues. Secondly, that there is a vast social science literature touching on many issues relevant to legal decision-making in this area, but that researchers in those other disciplines generally run along parallel tracks that never meet each other—or lawyers. We thought that we could usefully try to make a contribution on both fronts by bringing together people working in a wide range of disciplines pertinent to the broad theme of money, property, relationships and relationship breakdown, in order to stimulate debate and cross-fertilisation of ideas between them, and to bring their valuable research to the attention of a wider audience.

The project, run under the aegis of the Cambridge Socio-Legal Group, based at the University of Cambridge, adopted a workshop model. Invited contributors circulated draft chapters on their research in advance of a two-day meeting at which each contributor was then able, following a short presentation, to discuss their work with the whole group. This methodology proved highly successful in enhancing inter-disciplinary understanding, not least in identifying and unravelling areas of *misunderstanding*, often generated simply by the use of seemingly familiar language in an unfamiliar way. It was also highly productive of ideas for new lines of inquiry in all of the disciplines represented at the workshop, thanks to the fresh perspectives cast on otherwise familiar territory by those whose disciplinary background provided a different vantage point from which to view the material. In light of those discussions, the contributors were then able to revise their chapters before publication, and our introductory chapter benefited considerably from insights offered by members of the group during our discussions over those two days. We hope that the result is a volume that provides a valuable resource, giving access to findings on wide range of issues from a wide range of disciplines, in a way that will both inform legal development in this field and encourage further research.

We are extremely grateful to the Cambridge Socio-Legal Group, the John Hall Fund of the University of Cambridge, and to Trinity College, Cambridge for their financial support for this project, and to the staff of Trinity College who helped the workshop to run so smoothly. In addition to the contributors themselves,

whose biographies appear in the following pages, we must also acknowledge a huge debt to the following individuals for their contributions to discussion during the workshop: Belinda Brooks-Gordon, Ceridwen Roberts, Martin Richards, Brian Sloan and Anke Zimmermann. Finally, we must also thank Liam D'Arcy Brown for his assistance with proof-reading and editing.

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Antony Dnes currently holds a chair in Economics at the University of Hull, and has held previous appointments at the Universities of Birmingham, Edinburgh and St Andrews in the UK, and at the Virginia Tech and the George Mason Law School in the US. He completed his PhD in Economics at the University of Edinburgh, and has an LLB from the University of London. He is a specialist in the economic analysis of law, with a number of published articles dealing with family topics, in both law and economics journals. He co-edited *The Law and Economics of Marriage and Divorce* (CUP, 2002), a collection of articles from leading academics on both sides of the Atlantic.

Gillian Douglas obtained her LLB at the University of Manchester in 1977 and her LLM at the London School of Economics in 1978. She is currently Professor of Law and Head of Cardiff Law School, having previously taught at the University of Bristol and the National University of Singapore. She is the co-editor of the *Child and Family Law Quarterly* and of the Case Reports section of *Family Law*. Her publications include (with Nigel Lowe) *Bromley's Family Law* (9th and 10th editions) and *An Introduction to Family Law* (Clarendon Law Series, 1st and 2nd editions). With colleagues from disciplines including psychology and social work she has conducted a number of empirical studies in law, including *How Parents Cope Financially on Marriage Breakdown* (2000, funded by the Joseph Rowntree Foundation), *Grandparenting in Divorced Families* (2004, funded by the Nuffield Foundation), and *A Failure of Trust: Resolving Property Disputes on Cohabitation Breakdown* (2007, funded by the ESRC).

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Jane Lewis is Director of Research, Evidence and Evaluation at the National Children's Bureau and was formerly Director of the Qualitative Research Unit at the National Centre for Social Research. She practised as a solicitor before moving into social policy research. Her recent research includes *Separating from Cohabitation: Making Arrangements for Finances and Parenting* (2006, funded by the Department for Constitutional Affairs); *Settling Up: Making Financial Arrangements after Divorce or Separation* (2002, funded by the Nuffield Foundation), and *Pensions and Divorce: A Qualitative Study among Solicitors* (2000, funded by the Department for Work and Pensions). She has written widely on research methods and is co-editor of *Qualitative Research Practice*, published by Sage in 2003. She has a long-standing interest in relationship breakdown and more broadly in research on children and young people's lives; social inclusion, inequality and disadvantage; and research methods.

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Julia Pearce graduated from the University of Bristol in 1988 with a degree in Law, subsequently practising as a solicitor specialising in family law for seven years. She obtained her LLM in 1996, following which she left private practice to work full-time in socio-legal research. Joining the Law Department of Bristol University she has worked on a number of research studies in family law with colleagues in the Schools of Law and of Social Policy. These include *A Study of Children Act Applications* (1998, funded by the Nuffield Foundation), *An Evaluation of the Family Mediation Pilot Scheme* (1999, for the Legal Services Commission), *A Survey of Ancillary Relief Outcomes* (1999, for the Lord Chancellor's Department), and *A Failure of Trust: Resolving Property Disputes on Cohabitation Breakdown* (2007, funded by the ESRC).

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