1. Family Life and the Law

This chapter explores the nature of family life and the role of the law in family relationships to identify the particular challenges facing family lawyers. In particular, it considers how the law interacts with family life, how family relationships are identified in law, and what role the law plays in regulating family behaviour. The diversity and personalised experience of ‘family’ means that the role of the law in these processes is complex.

There are two central issues facing family lawyers. First, the identification of a relationship as being one of ‘family’ for the purposes of the law is an important label, and may give rise to specific rights and obligations, even if the particular relationship bears no significance for the individual. Secondly, identifying the nature of the rights and obligations arising from a family relationship is central to determining the significance of the relationship.

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