



FACULTY OF LAW
CONTINUING LEGAL EDUCATION
STAFF SEMINAR SERIES 2009/2010

COHABITATION AND LAW – EUROPEAN PERSPECTIVES

By Dr Jens M Scherpe
University of Cambridge

DATE & TIME : 16 SEPTEMBER 2009, WEDNESDAY, 2.00PM
VENUE: LEE SHERIDAN CONFERENCE ROOM, EU TONG SEN BUILDING

ABOUT THE SPEAKER

Dr Jens M. Scherpe, MJur (Oxon) is a University Lecturer in Law at the University of Cambridge and a Fellow of Gonville and Caius College where he teaches Criminal Law, Comparative Law and Family Law. Previously he was a Senior Research Fellow and Head of the Department for the Law of the Nordic Countries at the Max Planck Institute for Comparative and Private International Law in Hamburg (2002-2005), visiting fellow at the Katholieke Universiteit Leuven/Belgium (2003) and at the Australian National University in Canberra (2006), Parsons Visitor at the University of Sydney (2006) and visiting lecturer at the University of Auckland (August 2009). In 2002 he worked for the German Embassy in Singapore for four months and is delighted to return to Singapore for the occasion of this seminar.

ABSTRACT

It was Napoléon who once said: '*Les concubins se passent de la loi, la loi se désintéresse d'eux*'. However, a few things have changed in Europe since this statement was made. While the traditional family structure, consisting of husband, wife and children, may be still the norm in Europe, it can no longer claim to be the only existing form of family life.

One of the so-called 'new' forms of family life is cohabitation, or simply put: just living together. The number of cohabiting couples is rising steadily in Europe, and so is the number of children born in these relationships. Irrespective of one's personal view on marriage and cohabitation, the fact that cohabitation exists, and that many people cohabit for longer periods of their life, cannot be ignored. Often, protecting the weaker party in these relationships will be necessary; the simplistic argument, that it is 'these people's own fault if they do not marry' does not hold in all cases, particularly – but not exclusively – if the couple has children.

As in all human relationships, conflicts may occur between the cohabitants (or between cohabitants and third parties), and frequently these problems will have to be dealt with in a court of law. Cases of this kind can be found throughout Europe. Yet, in many European countries the legal rules for cohabiting couples are far from clear. Some European countries have legislated in the area of cohabitation while others still rely on the general law to deal with legal problems arising out of cohabitation relationships.

This seminar will analyse and compare the existing legislation and legal rules in several European jurisdictions, with a focus on one particularly important aspect: What should the basic requirements for legal recognition of cohabitation be?

REGISTRATION

If you wish to attend this seminar, please email to clemail@nus.edu.sg. There is no registration fee for this seminar but seats are limited. *Registration commences at 1.45pm*. For enquiries, please contact Ms Khai at Tel: 6516 3102. Directions to the law school may be found at <http://law.nus.edu.sg/faculty/Location.htm>.