



## **FAMILIES NEED FATHERS**

### **Families Need Fathers Response to Legal Services Commission Consultation**

#### **Key conclusions**

Families Need Fathers are concerned about the following proposed changes;

- No payments to contact centres (vol.3, Part C, 2.5/4(a) & 4(b))
- No payments for contact assessments (Vol.3, Part C, 2.5/4(a) & 4(b))
- No payments for risk assessments (Vol.3, Part C, 2.5/4(a) & 4(b))
- No payments for any programme of work around contact (Vol.3, Part C, 2.5/4(a) & 4(b))
- That Cafcass will be expected to provide all the services excluded from the list of allowable disbursements (Vol.1, Part D/5.9/2)

These changes are in addition to the current restrictions on treatment, therapy, training and 'interventions of an educative or rehabilitative nature'.

However we welcome the proposed changes to Family Mediation (Vol.3, Part C, 20.9), any attempt to stop disputes from having to go to court is a positive move and should be encouraged. We are especially pleased by the fact that "for those who are financially eligible all mediation sessions themselves will be funded." However, in the long term it would save a lot of time, resources and money for mediation to be free to all.

#### **The importance of supervised contact**

Although supervised contact is not the ideal scenario for many "non-resident parents", it is sometimes the only choice. It is especially important in an interim basis before court hearings and where there are welfare concerns.

Recent research carried out by Joan Hunt and Alison Macleod <sup>1</sup> showed that "four in five resident parents who opposed unsupervised contact raised serious welfare concerns". Therefore, when welfare concerns are raised supervised contact may be the only option. The report also highlighted that irrespective of whether the "non-resident parent" had contact with their child before a family court hearing, this had an impact on whether or not they were granted face-to-face contact following the hearing. Therefore, supervised contact is sometimes necessary in this instance, to protect the child and the parent.

Ultimately, the child having contact with the "non-resident parent", which in the majority of cases, matters. "Over the last twenty years it has become recognised that fathers play a crucial role in child development and subsequent adult status and behaviour" (*Flouri, E., Fathering & Child Outcomes, Chichester, West Sussex: John Wiley & Sons, 2005.*)

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<sup>1</sup> Oxford Centre for Family Law and Policy, Department of Social Policy and Social Work, University of Oxford

Supervised contact is sometimes very necessary in providing a place where safe contact happens.

### **Families Need Fathers arguments against the implementation of the proposed changes**

- The injustice of specialist services being available to some families (those who can afford to pay) and not to others.
- The disproportionate effect of this on families in poverty.
- The unnecessary prolongation of court battles (and costs) because of a lack of funds to meet specialist parenting support service payments.
- The discrimination against victims of domestic violence (and parents falsely accused of violence) that will result because of these proposed changes
- The completely unrealistic expectation that Cafcass can provide anything like the level and breadth of services required in the field without a massive increase in funding, resource or facilities and the acquisition of new skills and training. Cafcass are already unable to meet the needs in an acceptable timeframe to assist with all family cases, this will slow the process even more.

### **What is needed?**

- Removal of the outright 'ban' on payments of 'contact centre' fees
- A tightening up of the restrictions - keeping payment for assessments as allowable disbursements
- The consideration of other expenditure-saving actions including a 'capped' fee per case to prevent the costs of repeat assessments and long-term interventions being claimed
- Recognition of the expertise of contact centre workers (including therapists) that allows disbursements for essential assessments in the family courts
- The LSC to call for full and proper funding of contact centre services to families in need and to consider ways to encourage earlier interventions so that costs are even lower in the long-term. This will lead to families with fewer complications benefitting from a swift and effective intervention that results in direct contact to the benefit of the children involved.

### **In Conclusion**

In April Mr Justice Coleridge in his speech at the Resolution Conference referred to “a terrible shortage of contact centres. Those wonderful, small organisations staffed often by dedicated volunteers unable to provide enough space in a reasonable time so that children can see their absent parents safely, in cases where there is a risk or other need for some supervision.” and concluded with 5 points for government including the statement that “Contact centres, as an example are an inexpensive and vital part of the system. Fund them so they can expand their services. If all this means other sacrifices in the public finances have to be made, recognise that the work is, as important as the NHS in its effect on the health of the nation.”

- Families Need Fathers are concerned that the proposed changes are conflicting with the government's stated aims in Every Child Matters<sup>2</sup>.

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<sup>2</sup> [http://www.everychildmatters.gov.uk/\\_files/EBE7EEAC90382663E0D5BBF24C99A7AC.pdf](http://www.everychildmatters.gov.uk/_files/EBE7EEAC90382663E0D5BBF24C99A7AC.pdf)

- These proposals also conflict with the government's aim of reducing child poverty by removing from such children the possibility of a continuing relationship with a non resident parent because their parents cannot obtain legal aid.
- Effectively it could stop a child and a parent having a continuing relationship together.

**Families Need Fathers consultation response is supported in full by Jewish Unity for Multiple Parenting (JUMP), Mothers Apart From Their Children (MATCH) and the Grandparents Association.**

<http://www.jump-parenting.co.uk/>

<http://www.matchmothers.org/>

<http://www.grandparents-association.org.uk/>