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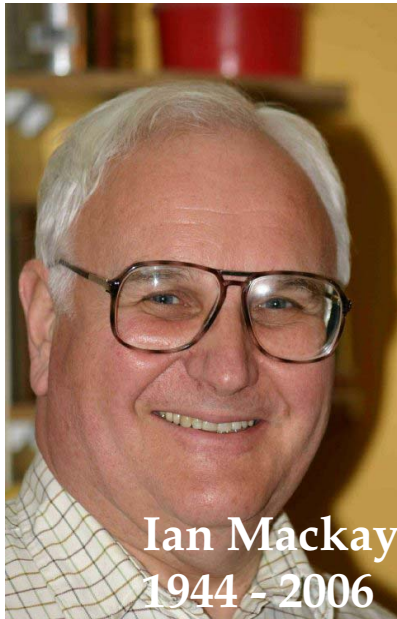
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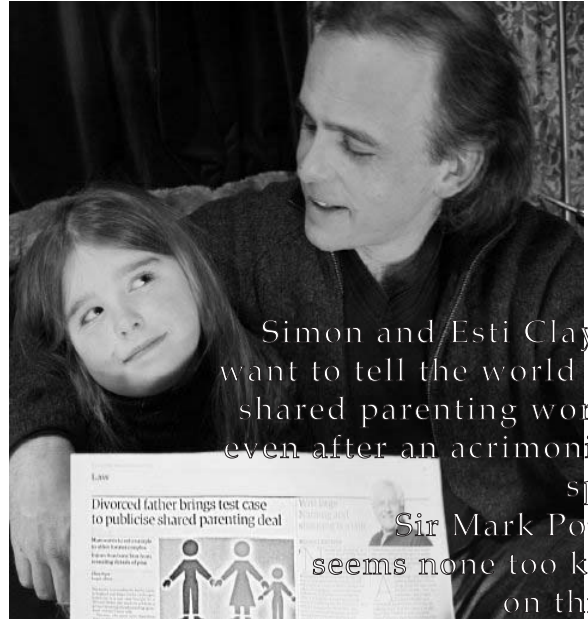
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## IAN'S LAST CASE



Ian Mackay  
1944 - 2006



Simon and Esti Clayton  
want to tell the world that  
shared parenting works -  
even after an acrimonious  
split.  
Sir Mark Potter  
seems none too keen  
on this...

Ian Mackay died in February. A big man in every sense, he helped countless parents stay in touch with their children. Few in FNF appreciated quite how many people he helped; a picture of this is emerging as people contact the FNF office.

Ian's house was chaos, and so was his car, yet he'd always arrive at court with the correct papers.

He is probably directly responsible for several hundred children still being in contact with their fathers. Sometimes he'd help write a Litigant in Person's statement until three in the morning.

He was never into gender politics and was unashamedly gallant towards women. He

reserved special kindness for non resident mothers.

Made redundant from accountancy in the early nineties, he gradually became virtually full time as a McKenzie friend, although he was also well known in Hertfordshire as a life-saving and swimming coach, and among local woodland conservationists. He had a keen interest in hedge laying competitions. It's a fair bet few FNFers knew that!

He pretty much put his own life on hold to help separating parents, mostly those who didn't qualify for legal aid, but who couldn't afford lawyers. His FNF work left him pretty skint most of the time. He also neglected his health.

He was a regular fixture on TV and the radio as FNF spokesman. On air, he somehow managed to avoid repeating the catch-phrase by which we all knew him, "You know what I mean?"

He had a rare wood-for-the-trees intelligence, useful both in the

media and in his cases. He knew instinctively what was important, and what could be ignored. His "cases" loved him for that. Love is not too strong a word.

He was well known in all courts around London from the Appeal Court down. He was mentioned by name in Judgements as the McKenzie in several cases, most notably last summer in the test cases of O'Connell, Mr Whelan and Mr Watson. The judgement in these, delivered as one, saw the Appeal Court lay down in terms that litigants were no longer to be bullied by removing from them the help of their McKenzie. Ian had been McKenzie in two of these three test cases.

He did a lot of the groundwork in the Simon Clayton case. Simon abducted his daughter Esti during an acrimonious divorce, leading to international media coverage. Arrested and imprisoned, he has subsequently made a successful week on, week off, joint parenting agreement, after he and his *continued on back page...*

**Yellow envelopes!! Please send in your old mobile phones** (and peripherals if you have them) using the FREEPOST envelope enclosed - no matter what condition. FNF will receive a minimum of £5 (and maybe even more) for every phone received. Thank you!

## John Baker to meet the NSPCC

Following our complaints to the NSPCC at their opposition to shared parenting presumption, they have agreed to meet John Baker. The NSPCC's own research implies that sharing the parenting increases safety; natural fathers prevent more abuse than they inflict.

Meanwhile, the NSPCC and other large charities got a broadside from former Tory leader Iain Duncan Smith, who is heading a review on social justice for David Cameron. IDS said such charities should spend more time helping vulnerable individuals and less time engaging in political campaigns. He said "They look over their shoulder at government the whole time because they are their source of funding."

Of the NSPCC, he said: "I can't remember a single thing on the ground that the NSPCC have done."

This echoes Shadow Children's Minister Tim Loughton MP's comments at the FNF AGM, where he branded the NSPCC's comments on shared parenting as "disgraceful" and "alarmist" (see page 10, and letter, page 18). He used even stronger language in Parliament during the Children Bill debate on March 2nd.

## The truth about sexual abuse accusations?

Dame Elizabeth Butler-Sloss, who retired as President of the Family Division last year, first came to prominence when she conducted the high profile inquiry into the Cleveland child abuse scandal, back in the 1970s. 121 children had been taken away from their families on suspicion of abuse, many wrongly. She told *The Guardian* (12/12/05) that "I haven't any doubt that in at least a third of the cases the doctor and social worker got it wrong. I think in a third of the cases they got it right. In the middle was a grey area where the children weren't prepared to say anything had happened."

## Distraught Bruce Willis saved by Will Smith.

Willis has divorced Demi Moore. Said Willis, "Will Smith saved my life. I kept blaming myself. I couldn't believe it had happened to us. I started talking to Will who is a very close

personal friend, and he saved my life. He told me that you have to put the kids first, and even if it's awkward you have to get together with the new boyfriend or spouse whoever it is. It was just great advice."

## What's sauce for the goose is not sauce for the gander, says Hale LJ.

"More and more in recent years, women and girls have been punished in the same way as men and boys. There seems to be less and less understanding of the ways in which their lives are very different from men's."

Lady Hale, the only female law lord, and an architect of the Children Act, seems to think the fairer sex should be let off more often.

*About 4,600 women are currently locked up (against 70,000 men) that's 6 per cent of the prison population. In other words 94% of prisoners are male.*

So why Hale is fussed is a mystery.

**Women and equality:** why is the "women and equality unit" not simply called "the Equality Unit" or the "Men, Women and Children Equality Unit" ?

[www.womenandequalityunit.gov.uk](http://www.womenandequalityunit.gov.uk)

## Kim Basinger and Alec Baldwin in PAS battle?

The access battle between Kim Basinger and Alec Baldwin over their daughter, Ireland, is one of the most bitter, and public, ever seen in the United States. It follows a seven-year marriage. Basinger filed for divorce in 2001 and currently has custody; Baldwin has visitation rights.

Documents filed by Baldwin's legal team in Los Angeles county superior court contain allegations of "brain-washing" and "child-snatching".

Baldwin even claims that Basinger had manufactured a chocolate-bar for Ireland, its wrapper allegedly besmirching his name and detailing his relations with other women. He sent an example of this to the court judge. He also claims that his ex-wife has a "pathological need" to turn his daughter against him, saying she "has so contaminated this child that she doesn't even want to be with her father".

Basinger, meanwhile, claims that Baldwin's "behavioural problems" have contributed to his "fractured" relationship with his daughter.

Baldwin's team claims that Basinger will not adjust visitation rights to his schedule, which involves extensive travel, and demands that she undergo psychiatric evaluation and change her therapist. Basinger has refused both demands, while Baldwin has spent more than \$1 million trying to prove his point.

"He has professional commitments, but she's inflexible. She would rather he change his life, or not see his daughter," said a source.

Oscar-winning actress Basinger's lifestyle has been subject to tabloid speculation over her filing for bankruptcy in 1993, her career dips and comebacks, and allegations of reckless behaviour on and off-set.

Baldwin alleges that Ireland "lives in a constant state of tension wherein she must never display or divulge her true feelings for her father because of the mother's all-consuming and bitter feelings toward me" (*The Scotsman*, 10/12/05).

## There is a new 24-hour Domestic violence helpline

freephone 0808 200 0247. There's also one for lesbian, gay, bisexual and transsexuals 0845 260 4460.

The DV helpline is available to "women [sic], men and others affected by domestic violence."

FNF would be interested to hear members' experience of the non-gay helpline given that the website goes on to say, "This new service ... offers the information and support women [sic] at risk need, when they need it ... a translation service is available for women [sic] whose first language is not English."

The helpline is run by leading domestic violence charities Women's Aid and Refuge, not by the Government.

## A quarter of children don't see their fathers?

According to grim research published this year by the Australian Institute of Family Studies, 26% of children from broken families see the parent who lives elsewhere - usually the father - less than once a year.

The most common type of contact, affecting 34% of children from split families, is spending every weekend or every other weekend with the non-resident parent.

The research, based on interviews with almost 500 households in Oz, found that only 6% of children spend close to equal time with both parents and found emerging evidence that a regime of every-other-weekend, father-child contact may diminish his importance to children.

In the UK, the number of children who don't see their fathers is variously quoted as 25% to 40%, depending which research you read. Even the lower figure is shocking; the truth is likely to be much the same as in Australia (see page 4).

## Children who grew up without a father account for

63% of adolescent suicides;  
71% of pregnant teenagers;  
90% of all runaways from home;  
70% of adolescents in public care facilities;  
85% of adolescents in prison;  
71% of school drop-outs;  
75% of adolescents with drug problems.

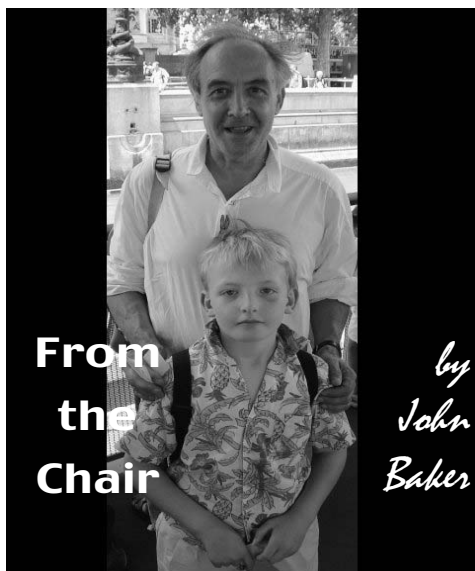
Source: *Austrian academic, Dr Michael Waldstein in the Summer Report 2005 of Family and Youth Concern*

*FNF deserves serious money I wrote in my last message from the chair. Well, we've got it. And perhaps, even more importantly, the recognition. The Department of Education and Skills has awarded a £401,000 grant to FNF. The money lasts three years and will fund a chief executive, an assistant and a policy and information officer, plus their back-up.*

This is a big break-through for FNF and for the children of separated parents. Hitherto our operation has been almost entirely voluntary without paid or professional staffing, the exceptions being Peter and Rebecca who run the office with extraordinary professionalism on meagre resources, supporting first time callers and running an increasingly complicated administration with cheerful efficiency.

We already have a DfES Strengthening Families Grant, run by Sue Secker and her helpers. Without Sue's team's efficiency, it's unlikely that the DfES would have considered FNF again.

So thanks to the DfES, its Ministers and civil servants for this grant. Your faith will be rewarded. Our voluntary ethos means that charitable pound goes further



at FNF than most charities. We hope this grant will set FNF off on a cycle of growth.

FNF's first aim is to be an effective social care organisation. We help parents apart from their children first to get, and then to use for the best, adequate parenting time with them. We reckon that making this easier would be the most important single contribution the state could make towards child welfare and social improvement.

And it wouldn't be hard if the

political will were genuinely there.

The second aim of FNF is to change attitudes. We think that members and supporters wish to see our lobbying work increase. This grant will enable us to say that membership fees and subscriptions will go in greater amounts into campaigning to remove the problems at source, so that problems are prevented, rather than just alleviated. FNF has a solution for so many social ills, and it's called shared parenting.

This grant will free up our membership fee income for this campaigning, so that the rights of children to both their parents is something that is generally recognised, rather than something that every non-residential parent has to scrap over and over again, in too many cases.

We need a mass membership to create a collective movement for change.

Thank you to all our members, supporters, volunteers, to those at branches, on the forums, on the helpline, or to those who attend our new parenting support workshops.

At national level, especially thanks to Nadja Singh who wrote the DfES funding application and who is writing more. And to the Rausing Trust who gave us the generous donation which enabled us to employ her.

The Children and Adoption Bill went back before parliament in early March. Labour has steadfastly refused to go for a rebuttable presumption of contact, seemingly buying into

Mrs Christine Maxwell, a Primary School Teacher, wrote: *"Since there is no proposal for equality of status for both parents in this Bill, the Government should commit itself to a public awareness campaign designed to make the refusal to allow contact, the treatment of children as possessions and as weapons of revenge, as abuse and wholly unacceptable, in just the same way as the message about domestic violence and racial abuse have been i.e. through direct advertising, and indirectly through television dramas and soap operas.*

*"I believe the proposals are insufficient without adequate public and schools information in place.*

*"Additionally, I believe the courts should also apply sanctions to persons who are found to have made false allegations in order to prevent contact between parent and child.*

*"In addition to enforcement proposals already considered, the committee could consider making a charge on the property of the resident parent or a fine which would not come into effect until the children are grown, thereby not having a detrimental effect upon them. Such a charge or fine could be removed if the resident parent complies with the orders of the court.*

*"The committee could also consider whether a parent who refuses to comply with a court order, when that order has been made in the child's best interest, is in fact guilty of emotional abuse and denial of the child's human rights (the right to family life and relationship with both parents). There need be no further punishment that might adversely affect the child but the abusing parent, if found guilty, would*

*have a criminal record – this might act as a further deterrent."*

## Ian Mackay

Congratulations to FNF on the grant. Other grant applications have been made, so let's hope we have more announcements soon.

Recently a grant-giving foundation visited FNF and commented that the amount of work done by our trustees and members is "quite extraordinary".

I was in the office at the time, and was surprised to be moved by this comment. I suppose we were all feeling a little emotional, because we'd seen Ian Mackay buried the day before. The standing room only funeral service in Hertfordshire was attended by many FNF members. Some had come from as far as the West Country, North Wales and Durham. Ian had been helping individuals all over England and Wales; I knew Ian for over 10 years, but I had no idea just how much he was doing. Check out [fnf.org.uk](http://fnf.org.uk) for the many, many tributes to Ian.

But although Ian was a one-off, he wasn't unique. I think that was why I was moved; it is indeed "quite extraordinary" the amount of work that is done, in a big way by people like Ian, and in a small way by the rest of us. It all adds up, and we should pat ourselves on the back from time to time.

The work will go on with or without grants, but it's nice to see it recognised. A shame Ian's not around to enjoy FNF's success.



the fathers-might-be-dangerous argument (see picture above).

Last year many private individuals, the great and the good, lawyers, judges, campaigners and organisations – including, of course, FNF – wrote evidence to the Government. You can find it all on Parliament's website.

But let's go to a non-FNF member for some good common sense (saves me writing an editorial):

# Ozzie, Ozzie, Ozzie, Go, Go, Go

*was the headline in McKenzie No. 57, Autumn 2003. Of course, we Poms wanted to beat them in the Rugby World Cup (done) and regain the Ashes (done). And we'd like to have beaten them to shared parenting. Looks like we're due five or more years of Ozzie envy. Canberra looks set to pass meaningful Shared Parenting into law shortly. But it will happen in the UK too. It has to.*

*When it comes, we can prepare for the backlash by reading Michael Green QC below. He is the president of the Shared Parenting Council of Australia, and tells the story behind the reforms, and how the usual reactionary suspects continue to kick up about them.*

The Federal Government tables significant changes to the Family Law Act with a view to encouraging both parents after divorce to share parenting of their children. At the same time, it announces \$400 million for 65 new family relationship centres across the country for the purpose of counselling couples with relationship problems and, if they decide to separate, to assist them to manage the aftermath in a sensible manner.

You'd expect universal acceptance.

Not so. Former judge's associate Waleed Aly described the shared parenting provisions as "little more than a mirage". Family lawyer Andrea Brooks called the relationship centres "a triumph of style over substance". The National Association of Community Legal Centres (NACLC) suggested that the new family law and processes "may be harmful to children".

Why all the big noise? After all, the government was not merely responding to noisy fathers' groups, as some have claimed.

In 2003, the government commissioned an inter-party committee to examine our family law system. The committee's investigations were not done by members sitting on their seats in Canberra and chatting nicely to one another. For six months, the committee travelled the nation, conducted public hearings and received over 1,700 written submissions. The resulting report, *Every Picture tells a Story*, ran to 240 pages, with 29 recommendations. There was unanimous support for far-reaching reform of the system.

The government responded, a draft Bill was produced, and this was subjected to further public scrutiny by way of another inter-party committee. Out of this process the current Bill, the Family Law Amendment (Shared Parenting) Bill, is now before the parliament.

Given all of the above, why the objections?

The pockets of resistance can be loosely grouped as follows.

**Equal or shared parenting is not in the best interests of children.** The NACLC paper claims: "There is no evidence that time shared equally with both parents is actually more beneficial to children." In a paper purporting to "ensure the full facts are widely known", the authors have conveniently ignored at least three US studies (for example, *Bauserman*,

2002), and an Australian study (*Smyth et al*, 2003) which show that joint custody or shared parenting of children after divorce brings positive benefits to both children and their parents.

It is bold indeed for the NACLC to rely

## The major changes in the Australian Bill are:

\* insert a presumption, or starting point, of equal shared parental responsibility. This means that both parents have an equal role in making decisions about major long term issues involving their children eg choice of school

\* require the court to consider whether children spending equal time with both parents is practical and in the best interests of the child. If it is not appropriate, the court must consider substantial and significant time (including day to day routine - not just weekends or holidays)

\* make the right of children to know their parents and be protected from harm the primary factors when deciding the best interests of the child

\* amend the existing definition of family violence to make clear a fear or apprehension of violence must be 'reasonable'.

Australian Attorney-General Philip Ruddock said, "More than one million Australian children have a parent living elsewhere. These children want the same things as any other children - to grow up with the love and support of both parents. They do not want their parents fighting in court.

"Unfortunately, one in four children never see one of their parents or only see them once a year. Too many parents fight in the courts for years, wasting money they should be using to raise their children."

The court should consider "substantial and significant time" with both parents. "This means more than just weekends and holidays, it means doing the day-to-day things with children - tucking them into bed, picking them up after school, helping them with homework. It also means a mix of nights and days with children."

so heavily on the *Rhoades* report to support many of its contentions, when it is well known that the limitations of that report were trenchantly criticised by several commentators (for example, *Moloney* 2001).

The NACLC suggests that what is important for children after separation is

stability. This is best achieved by sole-mother custody, reflecting the parenting responsibilities in the intact family.

This is the no change argument; children have enough to cope with "without asking them to cope with more unnecessary change by requiring them to spend more time with the other parent".

This is head-in-the-sand stuff. Separation and divorce are all about change and it is impossible to shield children from it.

The stability that children hunger for is not geographical stability, but the stability of meaningful relationships with the people most dear to them, their mothers and fathers, grandparents, relatives and friends, schools and communities.

Shared parenting can deliver this.

***Compulsory mediation may force separated parents, especially women, to negotiate with abusive former partners, and to agree to unsafe parenting arrangements.***

But no mediator or mediation agency will conduct a mediation session when family relationships are seriously affected by violence or abuse. The new family law provisions specifically exclude mediation in such cases.

Nor do mediators permit parties to agree to unsafe parenting arrangements. Moreover, the parties have access to legal advice during the mediation or before signing any mediated agreement.

Such mischievous nonsense shields deeper currents.

***The opposition to reform from lawyers can only be motivated by professional and financial insecurity.***

Over 50% of couples currently sort out their own post-divorce arrangements with little or no recourse to the law. With increasing education and the realisation that such a process can be achieved without paying \$300-500 an hour to a lawyer, this trend is set to continue.

In 10 years' time, will there be any work left for the generalist family lawyer? I doubt it.

And many family court judges will no longer be required either.

The brayings of some feminist groups are rooted in a similar anxiety for self-preservation.

Their support for the present system reveals a concern about power and money: if mothers share the parenting of children, it follows inevitably that they will have to share control of the family and of the resources that come with it, i.e. the home and financial support.

The need revealed by women's groups for funding and resources to support abused women and children is well established and accepted. Not so, however, is the radical position that this is the lot of most women and children, particularly in the aftermath of separation or divorce.

*Radical feminism has done a disservice to women. It has sought to portray them as unable to speak confidently for themselves.* Or to make their own choices. It portrays them as easily led into negotiations where their will and interests are overborne. Such thinking is a grave insult to the majority of women.

Ask any experienced mediator who carries the power in a mediation: almost inevitably the mother with the children.

The Australian government is to be congratulated on having the courage and energy to effect a new system of family law and practice so soundly based on reliable research and the aspirations of right-thinking men and women. If enacted, funded and supported by community education, it will bring enormous benefits to mothers, fathers and children.

*Michael Green QC was admitted to the New South Wales Bar in December 1975. He became a Queens Counsel in 1988. He is the principal of Michael Green Mediation, a private mediation practice specialising in family conferencing, mediation, life skills programs and local government, workplace and commercial disputes. Michael Green is the president of the Shared Parenting Council of Australia. His book on shared parenting, co-written with Jill Burrett, a Sydney psychologist, is to be published in mid 2006. An unedited version of this article can be found on [www.spc.org.au](http://www.spc.org.au)*

Former Family Court Chief Justice Alastair Nicholson. FNF can take a formal position on Nicholson. Dinosaur. We don't like him: "The court has always been compelled to consider a situation that's in the best interests of the child, but the real problem ... is that it [shared parenting] presumes that this is an ideal situation, whereas in most cases it's not for all sorts of reasons. I think that's more or less an attempt to, if you like, pander to the strong pressure that's been put on the Government by various militant fathers' groups."

Anne Rees, deputy chairwoman of the Law Council's family law section. Seems sound: "It is very important that people who

## Brazil

We have a law project passing through Congress that enacts Joint Custody as a primary option upon divorce, says [www.sos-papai.org](http://www.sos-papai.org). It might have a long way to go before it will be sanctioned, and it might not be the ideal, but it is a beginning, a start towards a big move in social perspective about custody.

APASE (Association of Divorced Parents) [www.apase.org.br](http://www.apase.org.br) and [www.sos-papai.org](http://www.sos-papai.org) are Brazilian shared parenting sites.

## Joint custody to be Italian norm

Said Justice Under-secretary Jole Santelli, "Children will have the inalienable right to maintain solid relations with both the mum and the dad. For the first time, this measure has established the principle of co-parenting. With this law, one divorces one's spouse, but not one's children."

In 2004 judges gave the mother sole custody of children in 84% of cases, while fathers had custody in 6.5% and joint custody was granted in 8.8%. The new law, which had bipartisan support in parliament, guarantees both estranged parents the right to regular contact with their offspring.

It also demands that they both maintain their children financially on a day-to-day basis and take all important decisions on health and education together.

If one parent fails to respect the custody agreement, the judge can make them pay damages to the child or to the other parent, change the agreement itself or impose a fine of between 75 and 5,000 euros. Although technically the children remain in

the custody of both parents, judges will still have to decide the details of their living arrangements.

"The law establishes the very important principle that one is a parent forever and that, despite a separation, both spouses are responsible for the upbringing of the children," said the Forum of Italian Family Associations.

**Holland and Spain** are two countries that have passed shared parenting provisions into law within the last year. These countries both have governments of the left. In the UK, shared parenting is supported by the Tories, while Labour, which claims to be the party of equality, remains against it.

This is a puzzle to FNF.

In **Sweden**, which man-haters like Polly Toynbee regard as gender heaven, shared parenting is the norm. It's not even a question. Feminists like her should be the biggest supporters of shared parenting, but bizarrely, in Britain, they aren't.

In **Canada**, the new Conservative Government pledged in their election manifesto to amend the Divorce Act "to ensure that in the event of a marital breakdown, the Divorce Act will allow both parents and all grandparents to maintain a meaningful relationship with their children and grandchildren, unless it is clearly demonstrated not to be in the best interests of the children."

## The UK gives Equality to Separating Parents

Well, only in Jersey, so not technically the UK.

Unaccountably, McKenzie missed this important news from the Channel Island. Jersey is its own jurisdiction, and yet FNF had a presence there for many years.

The new law came into force in 2005 and was first approved by the States of Jersey in 2002. It is described as the first major advance in child protection laws in Jersey for more than 30 years. It gives fathers and mothers equal rights when it comes to access and custody.

## Ozzie Soundbites

*are reading this understand that it is not introducing a presumption that both parents should spend equal time with their children. Indeed that proposal was specifically rejected."*

This statement, is exactly in line with Britain's equivalent organisation, Resolution, (the former Solicitors Family Law Association). It ought to reassure the "mum knows best" brigade in Britain. No shared parenter is asking for a rigid 50:50 formula. Britain's former Children's Minister Margaret Hodge used to wilfully misunderstand this,

saying "we can't have a rigid formula..."

Dr Elspeth McInnes, convener of the National Council for Single Mothers: "It's incredibly rare," she lied, "for there to be no contact where a parent has sought it. And we know of children being forced to have contact with sex offenders, with people with criminal records for assaulting other members of their family."

"A children's presumption to access to a home will be erased and instead they will have a timetable of parental attendance. If they have to be required to spend the maximum time possible with each parent, then a child's right to expect any claim to a continuity of residence and primary care is not available under these provisions."



## Help, Hope and Happiness - A child's guide to divorce

by Libby Rees

Aultbea Publishing

This book, by 10 year old Libby Rees, caught the eye of many a FNF chat-forum member. And now there is talk of a junior Oprah style book show on telly.

The first thing we all noticed was that she is estranged from her father.

India Knight, (*The Sunday Times*, 18/12/05) opined that "we persist in airing the old chestnut about divorce being catastrophic, even though this demonstrably is no longer true ... Children are far more knowing, and far cleverer, than we ever give them credit for, and decades of divorces have equipped them with not only a well-developed sense of self-preservation, but also with maturity of approach to this most emotional of subjects that would put most adults to shame."

(India overlooks the fact that no child has experienced "decades" of divorce. Libby was only 9 when she wrote this book).

Libby was interviewed by Penny Wark (*The Times*, 15/12/05).

From time to time FNF hears of cases where a psych-ologist or -iatrist gives a professional opinion without ever having seen the child, and FNF mustn't fall into that trap. But it's hard to avoid a suspicion that little Libby has been brainwashed against her father, that she is a victim of Parental Alienation. Penny Wark did not say as much, rather she delicately shows the overly grown-up, age-inappropriate language used in the book.

Describing Libby at the interview, she says "Her composure falters only twice: when I ask about endorphins, which she mentions in her book but seems to have forgotten about, and when I refer to *Dead Poets Society*, a film which she advocates watching, though she has only seen a clip of it herself, it emerges."

One is left wondering, who does Libby's homework? And what she really thinks about her dad?

As Wark noted, Libby has "edited her father out of her life."

For his part, he has apparently spent three years in the Courts just to see

her, but to no avail. "Sometimes when the court welfare people come," said Libby, "I don't really enjoy that very much. They bring back lots of memories."

Libby told Wark "that she wants to make a difference and explains that this idea is part of the culture of her family ... Was her father part of this encouraging spirit? She pauses. 'If he did, I can't remember.' Neither can she remember happy times with him, she says, though she is sure there were some."

*One forum member wrote to Wark, asking, "how can it be that the Courts can't see their way to letting this father see a six, seven, eight, nine or now ten-year-old girl? If she doesn't want to go to school, what happens? If she otherwise breaks the law, would the courts say, 'We must respect the child's wishes?' If this is a responsible father who has not provided a cause for his daughter not to want to see him, isn't it the court's duty to order measures to at least try to revive this relationship, despite the mother's opposition?"*

*"I suspect someday Libby will wake up from her nightmare and write the real story."*

*The forum member got a reply from the journalist:*

*"Obviously I had to be circumspect in what I wrote, as the mother made clear that neither she nor Libby would discuss details. But I agree with you. Best wishes, Penny."*

### So how is the book itself?

Our fearless reviewer, *Andrew Casey*, has had a look, and his answer is;

*"Rather good, actually."*

The authoress was nine when she wrote it. It is aimed at children who are having difficult lives, for whatever reason. It is dedicated to her Mum, who encouraged her to write it.

It is a lovely production, well illustrated and written in short sections. It is a self-help guide for children, which advises them about taking exercise, positive thinking, relaxing, cultivating good relationships with friends, etc. It is very upbeat.

I think it could be very useful for children, and adults to read, being full of good advice, easy to read and a good book to dip into. One could read it all in about 20 minutes, but some of the ideas in it might help many people to cope with the vicissitudes of our existence.

## Chick lit

Denied Access by David Chick

£8.99

David Chick was the original superhero dangling from London Bridge, and claims that Fathers4Justice subsequently copied him. This is his book. He has a quote on the cover from Sir Bob Geldof

"Why is the person who has taken the children suddenly given vast emotional, legal and financial power over the other party? Though having done no wrong, the father is semi-criminalised and punished by having his children removed from him. The children's childhood is never recoverable."

And another quote from Paul O'Grady (Lily Savage). "I'm all for Spiderman. When I was in the social services for 10 years they would often give the kids to the mum and in my opinion the mother was unfit".

If any FNFer has read it, please send in a review.

## Film News

Fathers 4 Justice are to be immortalised in *F4J: the movie*. Founder, Matt O'Connor, has sold rights to his organisation's story to Harbour Pictures, the British firm that made *Calendar Girls*.

The script is being written by Danny Brocklehurst, one of the creators of *Shameless*. "The most important thing is for us to get the story right. It's about serious issues but hopefully, like in *Calendar Girls*, there'll be moments of comedy too," says Suzanne Mackie, a producer on the project. "That said, we're not going to shy away from the very complicated problems created when relationships break down. We intend to make a film that will strike a chord around the world on every level."

Filming should start in early 2007.

## A single dad trying to make a difference

Carl Lord writes to say that he has been a full-time single father for over six years. Because of the unusualness of his journey he has embarked upon his autobiography, now finished, entitled "Dear Gavin."

He hopes to give encouragement to other single parents through his story. His website is [www.deargavin.com](http://www.deargavin.com). He will send a free e-copy of his book if you contact him at the email address below.

[carllord@insightbb.com](mailto:carllord@insightbb.com)  
[www.deargavin.com](http://www.deargavin.com)

McKenzie is always willing to print short reviews or recommendations of books and films that would be of interest to FNF members or their children. Send 'em in.

## How to Divorce Without Screwing Up Your Children

on Channel 4 had many FNFers gripped.

The programme followed Texas parenting expert Christina McGhee while she helped several separating British families through their problems.

"Some parents know what they should be doing," she says, "but they just need reminding. With others, they need their perspective shifting. They might not have thought about something in the way that I present it to them. ... Of course, every couple is unique, but there are some generalised experiences. Everyone goes through a grieving process. Everyone has to get to a place of adjustment. Lots of people struggle with feeling angry and overwhelmed and upset. And also an awful lot of children end up feeling divorce is really their fault."

### Christina McGhee's Top 10 Tips

1. Avoid conflict in front of the children at all costs.
2. Be supportive of the other parent's role in your child's life.
3. Establish a business relationship with your ex based on the best interests of your children.
- 4 Never badmouth, judge or criticise your ex in front of the children.
5. If your ex badmouths you, don't retaliate or try to set the story straight with your kids.
6. Resolve your feelings and issues regarding your ex.
7. When you have strong feelings regarding the divorce or your ex, handle them in an adult way.
8. Control your anger.
9. Change your expectations.
10. Be flexible and willing to compromise.

Have you considered **Life Membership** of FNF? It costs £500, and is a great way to support the Charity, especially if you Gift Aid it; the tax you would have paid on that £500 goes to FNF instead, so FNF receives £640.

"All truth passes through three stages:  
First, it is ridiculed.  
Second, it is violently opposed.  
Third, it is accepted as being self-evident."

*Arthur Schopenhauer,*  
philosopher, talking about shared parenting

"There is a widespread myth that a stable relationship is a common law marriage.  
It is not."

*Dame Elizabeth Butler-Sloss*  
former president of the Family Division

"A boy is brought into the world by his mother...and there comes a time for the shift when he begins to seek out his father's affection and attention... This is a very hard time in a mother's life, when the father replaces her as the sun of the boy's universe... Few mothers do it willingly, very few do it well. Many women ask their sons to fill a void in their soul that their husband has left.

But the boy has a question that needs an answer, and he cannot get the answer from his mother. Femininity can never bestow masculinity."

*John Eldredge*  
author of *Wild At Heart*

"Every woman should have a safe nice warm bed of her own"

*Marian Keyes*  
author, in asking people to buy an 'inspirational mood' candle from the Naked Bodycare range to help fundraise for Women's Aid. The idea is truly the death of romance.

"There is a deep pro-wife bias, with every single presumption in her favour - the most egregious being that every wife's contribution to the marriage is deemed to be equal to that of the husband even when plainly the contrary is true."

*Martin Mears*  
Former president of the Law Society in a paper published by think tank, Civitas

"The costs of matrimonial litigation are wholly disproportionate and occasionally, as even the courts admit, outrageous."  
*ibid.*

"Women's lives have changed and . . . women are more active in the workplace and in public life. But men's lives have changed too. New fathers are spending two hours a day on child-related activities compared with just 15 minutes 30 years ago."

*Jenny Watson*  
chairman of the Equal Opportunities Commission

"I named all five of my sons George Edward Foreman. One of my five daughters is called Frieda George and another Georgetta. If you're going to be a boxer you've got to prepare yourself for memory loss."

*George Foreman*



Straight

from

the

Horse's

Mouth

"Women marry men, convinced they will be able to change them - but they won't.

Men marry women, thinking they will never change - but they will."

*anon*

"There's no other feeling like your daughter giving you a hug. Not even winning the Ashes"

*Andrew Freddie Flintoff*  
England cricket captain (who is not leaving the India test tour for the birth of his 2nd child)

"A single, seemingly powerless person who dares to cry out the word of truth and to stand behind it with all his person and all his life, ready to pay a high price, has, surprisingly, greater power, though formally disenfranchised, than do thousands of anonymous voters."

*Vaclav Havel*  
playwright, former President of the Czech Republic

"On a number of occasions One Parent Families has asked lone parents about the best and worst things. The best thing is usually independence and autonomy.

That's perhaps not surprising if you have left an unhappy relationship where there has been conflict or an unhelpful partner."

*Alison Garnham*  
director of policy, One Parent Families, (*The Observer* 1/1/06)

## FNF members should go GAYE says Rebecca

Kingdom-Kruszewski

Payroll giving, or Give As You Earn (GAYE), is a tax-efficient scheme

whereby money is taken directly from your wage, much in the same way as PAYE, and given to the charity of your choice. The donation is deducted from your gross pay before tax. So the charity you nominate gets more.



For example, if you were to put a £5 note into a charity collection tin you are likely to have already paid £1.10 in tax before you received this money.

If you pledge £5 via Payroll Giving, or GAYE, because the money is taken out of your salary before tax has been deducted, the full £6.10 amount is donated (or more if you're in a higher tax band).

The scheme is administered by a Payroll Giving Agency (PGA). The PGA deducts a small fee for the service, but many employers agree to pay this so that the charity doesn't lose out. Some also match the amount being given by their staff, so

doubling the donation.

Payroll Giving is flexible – you can switch charities at will, and vary the amount; there's no minimum, and pay monthly or annually as you choose.

For you it's hassle free; your employer and the PGA handle the paperwork, and the amount appears on your wage slip for your records.

There are several PGAs and if your employer is registered with one of them you can join the scheme. You fill in a form specifying the charity, the amount and regularity and return it to the payroll department.

So don't delay – ask your employer if they are registered to Payroll Giving and sign up! According to a recent National Opinion Poll survey around 9,000 businesses offer Payroll Giving to approximately 5 million employees.

If your employer doesn't offer the scheme, encourage them to join. All they need to do is contact a Payroll Giving Agency and they will help set up the scheme. A full list of PGAs is available online at: [www.hmrc.gov.uk/payrollgiving](http://www.hmrc.gov.uk/payrollgiving).

Or FNF will help you or your employer. Contact Rebecca at the office (020 7613 5060 / [admin@fnf.org.uk](mailto:admin@fnf.org.uk)).

Small businesses may be eligible for a grant to set up a scheme. If you work for one, make your boss feel good by suggesting he goes for it, and if you yourself own a business, what are you waiting for?

Or,  
*giftaid it*  
she adds

"70% of the British population make some form of donation to charity, but only one in three do so tax efficiently...some £2.2 billion was donated last year via Gift Aid, boosted by another £600m in tax repayments," says the Inland Revenue.

In the last three years FNF has claimed £20,397.03 from the government in Gift Aid repayments but 31% of members have yet to make a declaration.

Gift Aid provides a great opportunity for you to increase the value

of your donations.

So, if you currently pay a £30 per year subscription and have made a Gift Aid declaration, that £30 is worth £38.40 to FNF, and even more for longer standing members.

### So make a Gift Aid declaration for FNF today.

A declaration can cover one or more donations, and it can be made in writing, by e-mail or orally, over the phone to us at the office. It can also be backdated to cover all donations since 6 April 2000.

Call the office (020 7613 5060) or do it online at [www.fnf.org.uk/support](http://www.fnf.org.uk/support). Or download a form, fill it in and return it either by post or via email – [admin@fnf.org.uk](mailto:admin@fnf.org.uk) – as an attachment).

FNF's "Strengthening Families Grant", funded by the DfES, has two new part-time workers. They are there to help English branches develop.

They are Garry Tinsley, who is paid, and Keith Durrant, who is voluntary. Between them they will be covering all branches in England; Keith in the SE and SW regions, and Garry all others. They took over from Steve Stephenson, who stepped aside from the work after a recent bereavement.

Thanks to trustee Ramon Faro, who supervised the project, and who is now enjoying a well-earned retirement from the job after three and half years. Ramon is the resident father of two children, and also holds down a demanding job in the air traffic control industry.

How does he do it?

Trustee Fairless Masterman has taken over supervision.

## If you haven't been to a meeting for some time, go to one!

But always check that times and places haven't changed on the members' branch list enclosed with *McKenzie*. Or look on [fnf.org.uk](http://fnf.org.uk) For example, **Birmingham Branch** has changed venue to The King Edward Inn, 275 Corporation Street, B4 7DP. Times are still the second Monday of the month.

**Wirral** branch now alternates its meeting between Wirral and Liverpool

**Portsmouth** have a new venue and meet at 7:30pm (not 7:00pm as previously listed)

**Stevenage's** contact number has changed following the death of Ian Mackay.

## Run the Marathon for FNF

FNF plans to participate in the British 10K London Run on Sunday, July 2nd 2006. We can help with costs and there are parking arrangements for mini buses (so the whole branch can come if necessary!)

[Nadja.Singh@fnf.org.uk](mailto:Nadja.Singh@fnf.org.uk)

### Ruth Glover is walking for

**FNF**. Starting on 3rd April 2006 at Fort William, she will be walking with a backpack and tent to Cape Wrath, some 200+ miles, with nothing but sheep and deer for company most of the time in the mountains and wilderness. It will take about three weeks.

If everyone got half a dozen people to sponsor me then we could raise a fair bit. I will probably have computer access when I am at the hostels and so will send updates to the forums/office, if people are interested in that. Contact Ruth via the office or [fairlawn103@aol.com](mailto:fairlawn103@aol.com) or 01388 604640 or 07792 623 576.

### Justin Taylor has decided to run the Fortis Rotterdam

**Marathon** for FNF. His divorce is reasonably amicable and says he will maintain good contact with his children. But he cannot help but be moved by the stories on the forums. He says he wants to repay the kindness he has received from FNF members.

[www.fortismarathonrotterdam.nl](http://www.fortismarathonrotterdam.nl)

## Parent Support Workshops

The next workshop 'Being an FNF parent: the challenges' is to be held at Redhill, Surrey, on Sat. March 25th. These workshops are about the other, non-legalistic side of things.

How about giving it a try? Here are some reactions:

*"I didn't know what to expect. The outcome has exceeded my expectations. It's been brilliant being able to share the experience with others."*

*"It's been a beautiful day...a compliment to all of you. You've come through some very strong emotions, which shows how caring everyone is as parents."*

*"Sometimes the emotions around something are so strong, that just becomes reality, and if you just take a minute like this, as someone said earlier on, to pour out the emotion a little bit, so you're not so full of it, you can see something slightly differently, that will give you a different action to take, things to do. That will have a huge impact on how you feel in the future."*

*"It's brought out more positive aspects of emotions for myself... the positivity I've taken away today can only impact on my actions in the future."*

*"It's made me realise not to be a victim, and not to victimise my child."*

*"Hearing other people's perspectives on things is invaluable. Thank you for that. It gives you a sense of where you are."*

*"Even though I've been to many workshops, I still feel re-validated myself...there's still a bit of progress for me every time."*



Sue Secker and Hugh McMichael

*"People here are so very very positive ...the love shown here today...perhaps the other parent should come along to these?"*

*"Every father should do this, even if they're living in a happy home, and every mother too."*

Book your place or register your interest in taking part in a workshop near you by contacting Sue 01604 770785

[sue.secker@fnf.org.uk](mailto:sue.secker@fnf.org.uk) or

Peter 08707 607 111 [fnf@fnf.org.uk](mailto:fnf@fnf.org.uk)

## FNF Wirral's Emlyn Jones walked into his local community centre for a coffee

and they were having a "Stakeholder day".

What's all that about? he asked. Oh, the council invite local groups for a symposium on what they need from the services the council can offer.

Right, I'll have some of that, he said.

So he got to question the police family liaison officer about prejudice against fathers and domestic violence.

And the housing officer regarding prejudice against dads seeking accommodation but who can't get it because they don't "care" for their kids but who can't get contact/residency because they have no accommodation.

And the education mandarins about the difficulty regarding obtaining information from schools.

And so on.

And guess what! The Police are willing to attend our branch and hear our concerns. The housing want to talk about their procedures and the education are willing to firm up the schools procedures.

And they said we can come again.

**fnf.org.uk** gets an average 1000 visitors per day, each visitor staying five minutes each. To compare: the DfES get just 50 times as many visitors as we do, despite covering the whole of education, but their website costs 10,000 times as much (source: [www.theyworkforyou.com](http://www.theyworkforyou.com)). We pay just £100 per year for our website, which is created by volunteers. Anyone can write for our web pages (subject, needless to say, to editorial control). If there's stuff on our website now which is out of date or plain wrong, please email [matthew.stannard@fnf.org.uk](mailto:matthew.stannard@fnf.org.uk), giving the address of the page, and indicating what the solution is.

## I am a helpline volunteer,

writes FNF national secretary Ian Julian

I have been a FNF member only two years and I am also involved in a local branch. The helpline is staffed by volunteers, such as me. We give a little of our time to help others when they most need it.

FNF provides the training jointly with the Telephone Helplines Association and we all have certificates. Every caller I have spoken to has been very grateful for our help.

In fact, since we started, we haven't had a single complaint, even though we don't always manage to answer first time the many 100s of calls we get each month.

I answer the telephone in the comfort of my own home. I offer the caller whatever information I can. It doesn't require deep legal knowledge: you need a feel for what the courts can do, might do and can't do; you then explore as many options as possible with callers. You need to be a good listener.

Many callers just need details of local branch meetings, or another FNF service or another help agency. FNF provides good support material.

I don't try to be an expert on all things and sometimes I will say that they should call another evening to try someone else on a particular topic. We have our own helpliners' secure chat group where we can quickly learn from each other on thorny problems.

There is a qualified counsellor, Hugh McMichael, if we need de-stressing. He is trained on the helpline as well and is an FNF member. Fortunately, we have made little use of him in that role but it is reassuring to know that he is available.

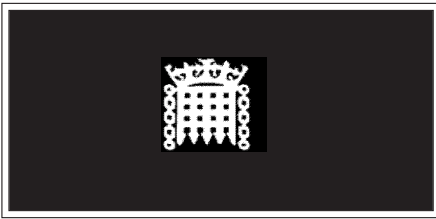
More people are needed to help our callers. We all have lives of our own and old hands move on from time to time. The idea is to have sufficient numbers to allow us all to take a lighter load and to have sufficient cover for holiday commitments.

Lots of calls come from women too. I've spoken to grandmothers, aunts and sisters as well as mothers needing help and information.

Training is given, initially of two days. Most volunteers worry they won't have the answers. In practice, as this is usually callers' first port of call, they find themselves being appreciated for understanding why the caller's problem is so tricky, and for giving a few pointers.

Most of what we tell them isn't rocket science.

to join the helpline team, call Roger Macy 01892 530 003 or the helpline 0870 760 496



## The Second Reading of the Children and Adoption Bill

was read on March 2nd. The adoption part, broadly speaking, doesn't concern FNF; for us the importance of this Bill is that it introduces extra measures to help enforce contact orders.

Sounds good as far as it goes, which is not far enough.

There's a new bit of jargon for us all to learn; Contact Activities. These range from mediation to domestic violence perpetrator programmes, or community service for those who break contact orders.

Cafcass will have a new duty to do a risk assessment if it has cause to suspect that the child concerned is at risk of harm. That's in there for the domestic violence lobby.

In the background is the failure of the Family Resolutions pilot project (see page 21) which was supposed to encourage couples into mediation. It failed, because, unlike the successful Florida Early Interventions programme upon which it was based, it lacked compulsion.

The Tories are in favour of compulsion. Labour is against.

A Second Reading involves MPs chewing the matters over, before the Bill goes into committee, and some way down the line, the proposed legislation, after amendments, becomes law.

Beverley Hughes lead for the Government, while Tim Loughton, whose own parents divorced when he was eleven, spoke for the Opposition, using much of the same material we heard at the FNF AGM a few weeks earlier.

The AGM speech is on [fnf.org.uk](http://fnf.org.uk), and impressed those who heard it. It's clear that Loughton has investigated the problems in the family courts thoroughly – FNF and other organisations have visited him – and the Tory zeal for family court reform seems genuine enough.

He also spoke up for excluded grandparents.

The Tories are trying hard to get a presumption of shared parenting introduced into the Bill while Labour is strongly against this.

Every Tory who spoke backed the presumption, and talked of the angst fathers experience in trying to maintain contact with their children, and the toothlessness of the courts. Several mentioned the 7,000 contact orders that are broken every year.

They acknowledged the problem of Domestic Violence – FNF does too – and supported the measures in

**Earl Howe (Con):** Perhaps I may ask the Minister a simple question. Does he or does he not support the presumption of reasonable contact between both parents and the child?

**Lord Adonis (Lab):** Our belief is that the courts make reasonable judgments at present.

(So that's alright then - this quote is from the earlier debate in the House of Lords).

Clause 7 for investigations. FNF does too; when allegations hang over a case, too often no finding of fact is made.

Labour members emphasised that the "paramourncy principle" of the Children Act 1989 should be maintained, that is, the "best interests" – which includes their safety – of the children is paramount. Thus they oppose a shared parenting presumption, as this might introduce a parental right in conflict with the children's best interests.

McKenzie's view is that "the best interests" is a phrase that means whatever you want it to mean; that is to say, it is pretty meaningless. Each lobby has its own idea of what the "the best interests" are. In our case, we believe most children would do

main parties about political consensus, they divided down party lines, with the Tories talking with great sympathy and understanding about the children's need for an involved father, and Labour MPs unable to get to their feet without talking remorselessly about Domestic Violence, and by implication, the dangers that contact might pose to women and their children. Vera Baird QC (Redcar), Margaret Moran (Luton South), Sally Keeble (Northampton North), Dari Taylor (Stockton South) all followed what amounts to the Women's Aid line.

Labour exceptions to this were Frank Field (Birkenhead) and David Kidney (Stafford), a former family lawyer, who talked sympathetically of the plight of non resident parents in maintaining contact, and of grandparents.

You could say, therefore, that Labour speeches divided down gender lines. It's fair to say that Labour women were luke-warm at best about the benefits of contact for children with their fathers.

Many FNFers are good old fashioned lefties, and really don't want to be Tories. So do the Lib Dems offer an alternative?

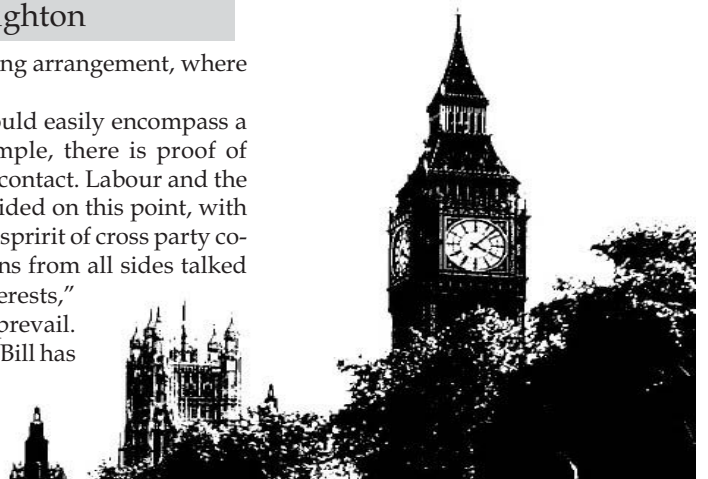
The Lib Dems were in at the kill when the Bill was debated in the House of Lords, and it seemed that the Government might be defeated over their refusal of a presumption. But Lib Dem peers were spooked by the NSPCC's "all men may be

*The NSPCC briefing [on this Bill] is alarmist, sensationalist, misleading, empirically flawed, completely irresponsible and highly reprehensible. It is not worthy of an organisation such as the NSPCC, which claims to stand up for our children ... it is arrant nonsense that I am sure will shock many dedicated and hard-working NSPCC supporters around the country ... it is disgraceful and insulting to many thousands of parents who are not able to live with their children*  
**Tim Loughton**

best in a shared parenting arrangement, where the parents are equal.

Paramourncy could easily encompass a rebuttable (if, for example, there is proof of abuse) presumption of contact. Labour and the Tories seem utterly divided on this point, with FNF hoping that, in the spirit of cross party co-operation that politicians from all sides talked about, "in the best interests," the Tory position will prevail. Seems unlikely, but the Bill has a long way to go.

Anyway, despite rhetoric from both



violent" briefing, and eventually voted with the Government.

In the Commons, Annette Brook spoke for the Lib Dems. McKenzie scanned her long speech in the hope of finding an interesting observation about anything, but really, she talked lots, but said nothing.

MPs of all parties mentioned that it was only 10% of cases that go to court, and seemed to accept that the other 90% made workable agreements between themselves.

This is of course nonsense. That 90% figure is not compatible with the 40% of children who lose touch with their fathers (or 20%, says Labour, but either way, it's an unacceptably high figure, as Maria Eagle acknowledged).

Labour MPs had a greater tendency to emphasise that the voice of the child should be heard more. This is one NSPCC position with which FNF can agree, though with the big proviso that Cafcass should have a duty to make sure there is no emotional blackmail or brain-washing going on, such as Parental Alienation Syndrome. Cafcass could have a duty to investigate this at the same time as looking at other abuse under Clause 7.

Stuart Jackson (Peterborough, Con) mentioned "the strong argument in favour of a greater role for the child's voice to be heard in court, an argument that some Labour Members have advanced. It is one of the issues in the NSPCC briefing paper with which I agree, so it does not get everything wrong."

"Far from exacerbating the bitterness that is endemic in legal wrangles around contact order disputes, allowing the child's opinion to be heard acts as a catalyst in helping to resolve even the most long-standing and protracted difficult disputes."

Given that FNF has clear political differences with the Government, all credit to the DfES for not holding this against us when they decided to give us a decent sized chunk of core funding.

## FNF lobbying news

Maria Eagle: John Baker, Sue Secker and Jim Parton met Maria Eagle the Children's Minister, (at last...)

The Poel Group, an ad hoc group of FNFers had a meeting with a senior civil servant at the Department for Constitutional Affairs on the subject of Leave to Remove.

CSA: John Baker is due to meet the Deputy Chief Executive of the CSA.

John Baker was "Minister for the Day" in an article he wrote in the parliamentary magazine *The House*.

Martin Crapper gave a great speech to The Future for Families in Scotland conference, about the new law. See it at [fnf.org.uk](http://fnf.org.uk)

Jim Parton has been invited by Resolution to speak at their AGM in a debate on Court Secrecy. A lesser speaker is Sir Mark Potter..

and much, much more. This is just the tip of the ice-berg.

# The Family Law Act (Scotland) 2006 has now passed

It's provisions include:

- Move Scotland into line with England, by giving Parental Rights and Responsibilities for unmarried fathers who jointly register a child's birth.
- Establish new legal safeguards for cohabiting couples, giving unmarried Scots the right to inherit possessions and property on the death of a partner.
- Lift the ban on marriage between in-laws. You can now marry your mother-in-law. Wey hey!
- Introduce new rights for grandparents via a charter to help them get access to their grandchildren.
- Pilot a national helpline and website, to be hosted by the charities Children 1st and Parentline. These will be portals, and will direct callers to a suitable place such as FNF's helpline or to [www.fnf.org.uk](http://www.fnf.org.uk).
- Introduce a "Parenting Agreement" for Scotland. This is targeted at parents who are separating. It aims to help them focus on the best interests of their children and set down their agreement in key areas such as living arrangements, schooling and time spent with other family members.

There's no reason why English parents shouldn't use it. In fact they should.

- Help conciliation services. An extra £300,000 will be invested in mediation services and a public information campaign will be launched.

## You don't have to be Scottish to use the Scots Parenting Plan

FNF had a big input into developing this: it is a marked improvement on the English version from the old Lord Chancellor's Department, (which FNF's English members still find useful). It's at [www.scotland.gov.uk/familylaw](http://www.scotland.gov.uk/familylaw).

This is especially useful as the English DfES seems to have decided to let the existing Parenting Plan die a death. A new publication with the words *Parenting Plans* then *Putting Your Children First* does not, er, contain a sample parent plan.

FNF is looking at creating and publishing its own, perhaps with another children's charity.



**Tim Loughton, Shadow Children's Minister, addresses the FNF AGM**

Loughton had an impressive grasp of the issues. He did say too (in a chat over coffee) that Children's Minister Maria Eagle was someone who is approachable and with whom he could do business (in contrast to her predecessor Margaret Hodge?). His stated desire of building a cross party consensus on shared parenting seemed genuine.

His full speech can be found at [www.fnf.org.uk](http://www.fnf.org.uk).

Register with [www.hearfromyourmp.com](http://www.hearfromyourmp.com) if you want to monitor your MP's attitude towards shared parenting.



*You've survived the court mill as a LIP, got a workable order or an agreement. But DO NOT RELAX. If the opposing barrister offers to draft an order, then check it thoroughly. Quite often they cheat. We have had not a few examples of this, advises*

*Steve Stephenson. Below he describes two recent cases.*

After an emotionally draining court hearing, when everything seems resolved, beware of the oppo pulling a fast one. Although you don't want to appear paranoid, unfortunately, sometimes you need to be careful.

When a judge's order is drawn up by one party's counsel (rather than by the court office or judge), counsel should provide a copy to the other party to check that the order says what the judge actually ordered. When one party is acting in person, it would be better for it to be signed by the litigant-in-person, so as to avoid future disputes.

Opposing barristers have been known to refuse to let the LIP see the draft; if this happens, the LIP should insist on going back before the judge.

The same is true of consent orders - even more so - because the judge may not actually know the detail of what was consented to.

Below are two recent examples in which barristers set out to pull the wool over the eyes of a LIP when I was the McKenzie friend.

### **In a South Coast County Court**

This was supposed to be a half hour contact review hearing. The father had waited nine months for this review and was looking forward to progressing from visiting to staying contact, as had been the circuit judge's expressed intentions. The Cafcass officer was there to say she had no problems with this.

But barrister **Delphine**

**Breese-Laughran** from 1 Pump Court (Jane Hoyal's chambers for those who've been around for a time) tried to bushwhack the father. Before the hearing she asked if he would agree to the mother having a residence order. She said this was the "usual practice" when a father was awarded parental responsibility (as he had been, a good nine months before) to balance things out.

This is nonsense. The two issues are unrelated. Delphine came to the bar in 1991, so is not exactly green. She was shamelessly advancing her client's position in an underhand way,

perhaps to compensate the mother who had lost over her entrenched opposition to staying contact.

We told Delphine she was talking nonsense. We thought that this would be an end to it. But, no, she had the gall to present exactly the same line of argument to the district judge.

The district judge should have slammed her down, but at least he dismissed her submission. He said that, since the father had never suggested a change of residence, it was not a matter of dispute and he would not consider it.

There been no prior application for a residence order from the mother. Delphine was simply trying it on.

Because there was no agreement between the parties no actual review took place (another story) but simply directions for a later day hearing.

When the matter came to trial, the mother was represented by different counsel. The mother's statement didn't mention residence at all, whereas the father explicitly argued against her getting such an order.

The District Judge was different too (so much for judicial continuity). Despite the Cafcass officer giving oral evidence that a residence order might be counterproductive, he went ahead and made a residence order.

Delphine, though not present, by her tactic outside court at the previous hearing, had engineered a residence order that had never been applied for, the case for which had never been presented in evidence, and had got an order that the previous district judge had dismissed out of hand.

### **In a London Family Proceedings Court**

Once again, it was a contact review, with a Cafcass reporter present. Contact, including fortnightly staying contact had gone well and the father was keen to introduce an extra night's contact during the week following the no-contact weekend. Following negotiation between mother's counsel and the McKenzie Friend (with the Cafcass officer present throughout), the mother agreed to all that the father proposed and the mother's barrister offered to draft a consent order

for the court.

When the draft was shown to us we saw immediately that the first paragraph stated that "by consent" the mother was to have a residence order. She had made no application; the matter of residence had never even been mentioned in court or during negotiations.

This barrister, **Rebecca Louise Fairbairn**, of Bell Yard Chambers, simply invented it and inserted it into the draft consent order.

The father challenged her, stating that he had never consented to a residence order being made. Ms Fairbairn, called to the bar some five years ago, readily agreed but stated that she had inserted it since "you can't have a contact order without a residence order."

Had she been taking a GCSE family law exam she would have been failed on this statement.

But worse was to follow. Since the father disputed the "consent" order as drafted we insisted we went back before the District Judge, confident that he (the most senior judge in this court) would rule her out of order - and even rebuke her.

Miss Fairbairn explained our return. The clerk, rather than the judge, immediately corrected Ms Fairbairn to say that she was mistaken. And, can you believe it, with no application before him, with the evidence that the barrister had tried to sneak in a residence order "by consent" in her draft, without the matter of residence being fully explored, with a litigant in person against a represented party, the district judge made a residence order in the mother's favour?

The matter went to appeal in the High Court, but was never tested. Responsibly, the father focused on building bridges with the mother. He agreed to no order on the basis of a recital that the mother would seriously consider agreeing to a joint residence order being made in the future.

Had the father pressed his point, I think he would have won. Or should have done.

*FNF regards the behaviour of barristers Fairbairn and Breese-Laughran as unscrupulous attempts to pull the wool over the*

eyes of Litigants in Person.

*We would like to hear of any member's similar experience, particularly the specific trick of trying to get a residence order on the back of a father being granted PR or a contact order.*

Ruth Glover, a frequent McKenzie friend, reports similar behaviour.

"I have been to two cases recently where the opposing solicitor has tried to pull a fast one. She tried to get us to fund the child psychiatric addendum report. The children are party to the proceedings and it would be normal for such a report to be paid for through public funding. As soon as we said we were going to ask the judge for clarification on that one, the solicitor withdrew it immediately.

"The second case was where in court it was agreed that an undertaking would run till October (three months), yet the draft had it to run for a year!"

Steve adds: Can we really blame the two barristers mentioned above? For, is it any wonder that family barristers indulge in 'dirty tricks' when the judges encourage them by letting them get away with it.

In all contests you need a decent referee to ensure that the players don't cheat. The fault partly lies with the adversarial system and counsel's efforts to do the best for their client, usually at the expense of the other party ... and often at the expense of the children.

Often they will seek to placate their client by 'winning' them an alternative prize to the one they aimed to deliver - in these cases, a restricted contact regime.

And, though the solicitors' body, the Law Society has a code of practice on how solicitors should treat LIPs, the Bar hasn't, despite the growing number of LIPs involved in family proceedings.

The only recourse is the expensive, stressful, time-consuming and possibly counter-productive route to appeal.

### **McKenzie says: these cases also highlight why courts should not be secret.**

The fear of being caught out and embarrassed would pull lawyers into line. Reporting these events is technically an offence under s12(1)(a) of the Administration of Justice Act 1960, even though parties are not identified, nor even the judges or courts.

The decision to publish is that of the McKenzie editor, and his alone. He doesn't expect a prosecution, but has his tooth-brush packed just in case.

### **Pixellating pix**

McKenzie hates this new trend of pixellating pictures of children in any news media. Presumably it's done just in case a paedophile is watching, or through some Data Protection, or Children Act paranoia.

The most absurd example was a recent one in *The Sun* where Abu Hamza, the Captain Hook of Islam, is shown playing with his small children. Their faces are pixellated. The picture is 20 years old.

FNF fathers, for example, have reported being banned from photographing their own kids at contact centres. John Clare, *Daily Telegraph* education correspondent ventures the following opinion in answer to a reader's question.

*Q: My child's school has banned the taking of photos at all school events, including this year's Nativity play, citing - erroneously - the Data Protection Act. As a keen amateur photographer, I'm extremely annoyed and would be grateful if you would remind your readers what the Act actually says.*

*A: Willingly. My source is the Information Commissioner's Office (www.ico.gov.uk). "Fears of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos within schools, colleges and universities," it says. "Photos taken purely for personal use are exempt from the Act. Photos taken by the media are usually exempt from the Act. A common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance."*

(Daily Telegraph, 13/12/05)



### **name and praise**

Yesterday, writes a fnf-chat forum member, I had for the first time a judge of whom I had the impression, maybe even the certainty that he/she talked sense.

She did a superb job, with élan, sure of herself, with authority, commanding and deserving respect by the way she acted, serious, hard- and fast-working, not scared of making quick and very clear decisions, decisive language, glancing a few times at the clock as time was close to running out towards the end of the hearing.

And she did not lose her smile, even in a Court Hearing where a father [i.e. me] was accused of sexual abuse of his own children!

Step forward **The Hon Mrs Justice Pauffley**, DBE (Anna).

### **Faster cases?**

The Law Society has launched a campaign to speed up the listing of family cases, in the wake of a survey of 100 solicitors which revealed that 70% of respondents had suffered delay and that delays of more than 6 months to get a hearing date are common in all types of family cases. Sir Mark Potter, Family Division president has talked of integrating Family Proceeding Courts (magistrates) with other family courts, with a view to sharing the case-load. Solicitors get paid less in magistrates' courts, and the Law Society's campaign, if it goes the Potter route, may not be too popular with its members.

### **Essential Family Law Cases 2005**

*Essential Family Law Cases 2005*, was published in February and sounds like a must-have for FNF's legal eagles. The book's blurb says it gathers together all the digests published on the *Family Law Week* website during 2005 to provide an instant, easily accessible reference covering the key cases of the year.

From there, if you need the full judgement, you can go to [familylawweek.co.uk](http://familylawweek.co.uk), though it's worth reminding people of [www.bailii.org](http://www.bailii.org) too.

The publishers hope that there will be a new edition annually. If it's good, FNF needs to know.

Price £35.

[bathpublishing.co.uk](http://bathpublishing.co.uk)

**"Not fit for Purpose"** seems to be the new buzz for failing Government organisations, such as the CSA. Now the Legal Practitioners Group (*who they? - ed*) says this of the Proposed Legal Services Board, which will have the job of distributing Legal Aid.

McKenzie's instinct is to think that any organisation that upsets lawyers (as the Board is doing already) must be a good thing. In this case we secretly hope that it is very bad at distributing Legal Aid. FNF would like to see Legal Aid as near as damn it abolished for private law cases, the effect of it is like adding rocket fuel to family acrimony, prolonging disputes long after they could have been resolved. Often too, Legal Aid is available to only one party.

The Group's Chair, Roy Morgan claims that, "There are significant problems which this White Paper fails to address, including [...] whether it is in the public interest to waive regulatory requirements for some not for profit organisations. And it will define the very concept of legal services. We do not think the proposed Board, consisting of only twelve people and with a majority of non-lawyers, is fit for this purpose."

The "majority" of non lawyers sounds good to FNF.

# The story of a branch

*Running a branch takes energy, determination and sticking power. And for all sorts of good reasons, people sometimes decide it's time to move on.*

*After over 7 years, Anthony Esler, stalwart of FNF East Anglia branch, takes a breather.*

I sat at the back of the hall for my first FNF AGM, frustrated and upset at my own situation and amazed at the sheer anger and hostility from fathers on the floor towards those on the platform. Towards the end, yet another very angry father stood up and said: "I've been in this movement for 20 years and we are no further forward now than when I joined."

What an awful statement to make I thought: To spend twenty years of your life trying to achieve something and feeling that you were no further forward and had achieved nothing. I made up my mind there and then that if I was going to get involved in FNF, I would make sure that I wasn't able to say the same thing in twenty years or even ten. That was 1991 and I'm glad to say that I certainly don't feel able to make that statement now.

Things are moving on. Too slowly. Too late for many. But change is coming.

Now to a short overview of the history of the Branch FNF East Anglia, which I have recently handed over to younger, more progressive hands.

Craig Hitchcock and I started the Branch in Newmarket in September 1998 and I well remember our first meeting: it consisted of Craig, his then girlfriend Linda and myself! In the intervening seven and a half years meetings have ranged from two or three to (more often) fifteen or twenty members. Largely fathers, but we have had a good smattering of ladies in the form of second partners, single mothers and grandparents. These we always welcomed with open arms. We have also had our share of speakers, maybe one or two a year.

Constant throughout the entire period has been our 'resident' Solicitor Kimberley Pender of Steed & Steed at Sudbury. She came without fail every quarter and her measured advice has been invaluable to countless of our members, some of whom she has also successfully represented. I am delighted to say that she has agreed to continue coming quarterly as before.

One highlight, and probably the most satisfying was saving a marriage. The father was one of the racing community around Newmarket and his wife a TV personality, so quite high profile if it had all gone pear-shaped.

Briefly the wife wanted the divorce

and was hell-bent on upping sticks from Newmarket and taking the two children, then aged 6 and 8, to live in Scotland. This would not only have destroyed the father but almost certainly his career in racing as well. She got herself a very well known London solicitor, who looks after the rich and famous, the owner of several racehorses; whose reputation as a Family Lawyer is such that he glories under the nickname of 'The Rottweiler'. Despite her TV income, his fees, I am sure, she could ill afford.

The long and the short of it was that under Kimberley's guidance we told the father that if he followed our advice and didn't slip on any banana skins that he had a good case and should not necessarily lose his house, children and finances.

In the event and after some tangling between Kimberley and her adversary, The Rottweiler, (who I'm quite sure initially thought he could stitch up a country lawyer in double-quick time) backed off. The wife gave up her plans to divorce our man and move to Scotland and they are still married. More to the point their two children, now in their teens, still have a mummy & daddy living together.

I shall never forget how stressed and depressed another couple appeared the first time they came. They were having terrible problems with contact over the man's five year old daughter, largely because of the totally unfounded accusations of sexual abuse by the child's mother about father. The mother was finally warned by the Judge that any further spurious accusations would have dire consequences for her; she has desisted and the man and his new partner now have excellent contact with his daughter. They are still regulars at our meetings, now helping others.

At my final meeting, a father turned up from an hour and half away. I hadn't seen him for five years or so. Grabbing my arm at the end, he reminded me of a meeting we had had when I first met him at a Little Chef. He made it clear that, had we not had that meeting, he really didn't know what might have happened to him; he started attending regularly and now has decent contact with his two boys. I could barely remember the meeting and certainly hadn't the faintest idea that it had meant so much to him.

Others we have helped; yet others have drifted away, perhaps disappointed and disillusioned with us. But if there is one thing I have learnt through running the Branch which I can pass on to others it is this: however much support and advice any Branch gives, at the end of the day it is down to the individual. That may sound obvious

but I can almost tell after the first meeting with a new member whether or not they will come successfully out of the dark tunnel that they have entered. Those that are prepared to listen and utilise the vast experience of FNF and have the grit and determination to battle through their problem, however many court appearances it takes, will usually end up in a good situation with a good relationship with their child.

It's all wrong that they should have to battle in the first place, but that's the way things still are. Sadly those who find it all too much, will usually fail. Just like in every other aspect of life really!

I am minded however to add one important caveat to that. And that is Parental Alienation Syndrome. It really is the most evil pernicious weapon used by one parent against the other, and does untold damage to their children. I can think of three cases, two fathers and one mother, where despite years of battling, sacks full of grit and determination, acres of paperwork and countless court appearances, PAS has become so entrenched in the psyche of the children that in each case they have indeed 'lost' them.

They may reappear as adults, of course, that does happen.

If I have one dream in my FNF life before my twenty years in the organisation is up, it is this: That PAS will be recognised by our Courts for the evil that it is and will be robustly dealt with whenever and wherever it occurs. By that I mean that the Courts will simply not tolerate it and will impose heavy sanctions like reversing Residence. If that happens, it will of course soon disappear as a phenomenon.

Five years to go - what chance?

## Thanks

To: **Kimberley Pender**, who has had a lot of success with the cases she has taken on.

To: **Gill Robinson**, for keeping books in order & especially for the funding applications - which really have kept us afloat.

To two chairs: **Roger Martin** and **Tom McCorry**: both of whom have been a great support.

To **old hands**: you know who you are!!

To: **Suzanne & Maria**, for great support.

To **June** for allowing us to use The Stable at a very reasonable rate.

To **Craig Hitchcock**: without whom I would never have started the branch.

And lastly to **Ian Tyes** for taking on the running of the Branch.

# The death of the CSA

The CSA's chief executive Stephen Geraghty has written to stake holders such as FNF. His own internal review was rejected by minister John Hutton. So now he is going to focus on four key elements in the CSA's twilight two or three years, and has £120 million to spend on it. Nice one.

These are,

1. *Getting it right: gathering information and assessing applications*
2. *Keeping it right: active case management*
3. *Putting it right: enforcing responsibilities*
4. *Getting the best from the organisation.*

Like these weren't the aims already?

FNF chairman John Baker's press release was picked up by several national papers; "Most fathers," he pointed out, "do want to maintain their responsibilities both financially and as parents. But their path is blocked by contact orders not worth the paper they are written on. If shared parenting were the norm, not the exception, much of the non-compliance problem would cease to exist."

**50% of CSA dads don't see their children at all**, said John Hutton, Minister for Work and Pensions, in charge of the CSA.

FNF argues that the CSA has failed because 50% of its caseload resent it for very human reasons. We believe that a good part of its case-load would evaporate if fathers weren't routinely treated as 2nd class parents.

*"Greasyrailman," a fnf-chat regular, received a cheque from the CSA. Imagine his excitement.*

*The cheque was for £00.03p. He is considering auctioning it on ebay as, an example of the CSA's total incompetence and the sheer waste of taxpayers money.*

The CSA retrieved £8m last year but cost £12m to run. It has failed to collect an estimated £1.7bn in unpaid maintenance and has a backlog of 350,000 cases. It has awarded compensation in 35,000 mishandled cases in the past four years. For every

£1 the agency spends on administration, only £1.85 goes to Families.

Around 15 per cent of its workers are also clients, says MSN News, or 500 of its 3,000 workers.

Labour MP Kelvin Thomson said, "Five hundred employees or 15 per cent is a high number. These are people who have a very clear conflict of interest."

A spokeswoman for the CSA said some 14 employees (over 6 years) had lost their jobs after they were found to be wrongfully accessing files.

One former CSA case worker said, "I know that the CSA had a very poor record on privacy and ... there was a slap-on-the-wrist mentality."

## The easiest way for women to get richer in 2006

*MoneyWeek* editor Merryn Somerset Webb wrote on "The easiest way for women to get richer in 2006".

And no, it wasn't, find a rich man, marry him then divorce him two years later. And if it at first you don't succeed in making off with a thick wad, appeal to Lord Justice Thorpe who will make sure you are seen right.

No, her answer is for women to learn to be as pushy as men.

Apparently boy children get better Christmas presents than girls. According to a Woolworths survey, the reason parents gave for their favouritism is that boys ask for more presents, the presents they ask for tend to be more expensive. (The most expensive of the toys that made it into the top five for girls this Christmas was the Amazing Amanda doll at £69.99, for boys it was the Playstation Portable at £179.99). And boys get nastier than girls if they don't get what they want.

And so it is in the job market. Women are paid less, because they are less likely to ask for more; if a man and a woman both get offered a job at the same time at the same place at a starting salary of £25,000, the woman takes it. But the man negotiates it up to £28,000.

Thereafter, if they both get 5% pay rises every year over the next 30 years or so, how much more do you think he will earn over his career? The answer is £285,000 pounds. The most important factor in the lower salaries of women, concludes Somerset Webb, is not babies, but the fact that they don't, that they won't, ask for higher salaries.

The article does not discuss divorce. The main breadwinner in most marriages is the

man. On average, the man is older by three years. If the couple are equally talented, and started off with identical salaries, the man, with his three extra years of experience will be 16% ahead. Add in two years worth of career break for babies, and the man will be 28% ahead. And that's before he asked for a pay rise, and she didn't...

What's all this to do with FNF? Well, just as women should be asking for better pay, men should be asking for more time with the children. Strange then, that so many feminists are opposed to the aims of FNF. And that the "party of equality", Labour, still can't get its head round a presumption of parental equality.

## Bad joke circulating the internet

A dad is on his way home a bit late from the office when he realises that he hasn't bought his daughter a present, so he stops at a toy store to buy his daughter a Barbie doll. He asks how much the dolls cost.

The shop assistant responds with "Which one? We have, Gym Barbie at £19.95, Beach Barbie at £19.95, Disco Barbie also at £19.95. We also have Divorced Barbie at £299.95".

"Why is Divorced Barbie £299.95?" asks the man.

"Sir," says the shop assistant, "Divorced Barbie comes with accessories; she has Ken's car, Ken's house, Ken's boat, Ken's furniture, Ken's jewellery, Ken's computer, Ken's money, and Ken's best friend."

## %Number crunching

About 896,000 men and 492,000 British women work over 60 hours a week. These are the longest hours in Europe. The phenomeneon is known as Presenteeism, (as opposed to absenteeism). (*The Times*, 7/7/05)

## Fathers, Then (30 years ago) and Now

*Time fathers devote to childcare:*

Then: less than 15 minutes a day, now two hours a day

*Percentage of women in higher education:*

Then: 33% now 57%

*% of mothers of pre-school children in employment:*

25% now 52%

*% of women managers and directors:*

Then: 1.8% and 0.6%, now: 33% and 14%.

*women solicitors:*

Then: 7% now 41%.

(Source: Equal Opportunities Commission)

**Moving house in the near future? Don't forget to notify the FNF office of your new address**

# Report it. It's important

## Domestic Violence and the Police

*The definition of Domestic Violence has been broadened to include non physical kinds of harassment, such as Financial and Emotional abuse.*

*Denying contact to the non resident parent is a clear example of both, argues an anonymous policeman. If it happens to you, it can be both emotionally devastating to you and your children. Less importantly, but not to be overlooked, it costs you money too.*

*Our policeman urges FNF members to report these events to the police each time they happen. Men are reluctant enough as it is to report physical violence against themselves. But non physical violence hardly touches the statistics.*

*This article follows on from one in McKenzie No. 62.*

When a father is denied contact he may become thereby the victim of domestic violence (D.V.). The abuse is emotional, and may be well be financial too. Since *McKenzie 62*, fathers have started reporting these incidents to the police with mixed results. Slowly more and more reports are being taken without question.

The Cafcass definition of D.V. is; *"Patterns of behaviour characterised by the misuse of power and control by one person over another who are or have been in an intimate relationship. It [...] may be physical, sexual, emotional and/or psychological. The latter may include intimidation, harassment, damage to property, threats and financial abuse."*

By Cafcass's definition, if the mother stops contact without good cause, she is guilty of subjecting the father to Domestic Violence, by using her position of power and control to stop contact taking place.

Fathers should point this out to their Cafcass reporter, and ask them to evidence it in their report and listing the profound consequences it may have on the children and the father's life, as per Cafcass's own D.V. definition.

ACPO, the Association of Chief Police Officers, has also published a definition for constabularies to use.

This is *"Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults aged 18 and over, who are or have been intimate partners or family members ..."*

The Police priorities are to:

1. protect both adults and children who are at risk of domestic violence.
2. investigate all reports of domestic violence.
3. facilitate effective action against offenders through the criminal justice system.
4. adopt a proactive multi-agency approach in preventing domestic violence.

The legal obligations, which underpin the above priorities, include the duties within the Human Rights Act 1998 and European Convention on Human

Rights to protect life and to protect individuals from inhuman and degrading treatment.

The ACPO guidelines continue: *"All victims of domestic violence should receive the appropriate quality of service according to their individual needs. All allegations should be properly investigated and offenders held accountable through the criminal justice system, without discrimination."*

*"The Police have a duty to protect children from harm and in all investigations the principle that the welfare of the child is paramount, should be observed. Officers investigating domestic violence should identify whether a child was present when the incident occurred, or whether a child is ordinarily resident at the address where it occurred. When officers do not see children, they should ask if children are resident at the address and should look for signs of children, such as clothing and toys and should check bedrooms."*

Legal options are suggested for constabularies, such as the Assaults, Public Order, and Harassment Act 1997.

To prove an offence under this act it should be noted that

1. A compulsory component to prove the offence is to show a course of conduct, which amounts to harassment (section 2) or fear of violence (section 4) of another, which the defendant knows or ought to know, amounts to harassment or fear of violence.

2. A "course of conduct" is conduct on at least two occasions. This information could be provided by the witness(es) during the first complaint. There is no requirement for a previous warning to have been given. It has to be shown that the person knows or ought to know the effect of their behaviour upon the victim. The Act does not specify how far apart in time the conduct should be, but if incidents are far apart, there should be some connection such as a birthday or anniversary.

(Court ordered or agreed contacts fall easily into this connection)

In all domestic violence investigations, officers should explore the history of domestic violence.

Such information should be used to support the prosecution file and to prove that the offence is part of a pattern of domestic abuse (and not an isolated or single incident). These procedures should be applied to all domestic violence cases.

### So how could this help fathers who are denied access to their children?

A father who is denied contact (without good cause) to his children is, under both ACPO and Cafcass definitions, a victim of D.V. and has a right to have it recorded by the police.

He also becomes the victim of harassment, which is a criminal offence. The children might well also be victims, especially if a court has decided in favour of contact, in their "best interests". Or even if such an arrangement has been made by agreement in mediation or via solicitors.

If his ex-partner denies contact for no good reason, she starts a course of conduct she knows will cause emotional and financial distress. This is a form of harassment.

(Of course, she may know that, in practice, the family courts will not take any action, even when the father gets a penal notice or seeks enforcement.)

### New Police guidelines say that D.V. offenders should be prosecuted through the criminal justice system as a matter of course.

Here's an example, a situation that FNF regulars hear of often.

The father attends to collect his children from their home with mother. Arrangements are misunderstood, timings etc, minor issues, contact is denied, an argument starts, father leaves, something is knocked over on the way out, and gets broken.

Mother calls the police, father is arrested and spoken to about violent behaviour and damage.

Charges commonly follow and the father has to attend a criminal court.

The police officer would never say to the mother "This is civil; take it back to the family court, to solicitors or mediation."

The police say they are following guidelines and taking positive action.

As a result, the civil law Family Courts or Cafcass might well also brand him as violent.

In theory, the police should be as firm with mothers who break contact orders without good cause as they were with the man involved in the altercation outlined above.

ACPO guidelines say that all allegations should be properly investigated and the offenders held accountable through the criminal justice system. Without discrimination. The police should never say, as they often do, "This is a civil matter not criminal."

They should also consider if there is evidence of a pattern of abuse, such as several or many broken contacts. This should be included in the evidence.

Fathers are doing nothing wrong by asking the police to follow their own guidelines to record all incidents of D.V. and to prosecute all offenders.

*(Fathers should not feel ashamed to tell the police they were upset, distressed, or cried when contact was denied. Not knowing when and if they will see their children again is harsh for any parent).*

Once the Police have taken the report and it is clear the mother has committed offences, the father may well request the police to take no further action. That would be a natural, decent reaction. Especially if he worried his actions could cause his ex-partner to vent anger on the children.

It's then up to the Police to decide if the offence should be prosecuted. The father could use the Police reports in the civil Family Court to show he is the victim of D.V. and harassment. There would also be evidence that he requested no police action, for the sake of his children.

Similarly fathers are doing nothing wrong in asking Cafcass to record DV incidents against them.

Until fathers generally start to report D.V. and harassment against them, little action will be taken to reduce its incidence. It is only by knowing that you are a victim, then reporting it and getting positive action taken will the statistics start to change.

**When the statistics change, the law will change to protect victims.**

Fathers and their children are the great unreported victims of D.V. and harassment. As victims they are being denied the right to maintain full, loving, natural and positive relationships with each other.

# The Death of the Superheroes

There were plenty of people ready to dance on the grave of F4J, and they got the perfect opportunity to have a go at the "misogynists" therein when education secretary Ruth Kelly had an egg thrown at her by a Real F4J activist.

"These guys really hate women, don't they," said Joan Smith in the *Evening Standard* (7/2/06). It was "... a reminder that one in four women will become victims of domestic violence ... these days the courts are hardly reluctant to make orders ensuring that both parents have adequate access ..."

"Make orders," Joan, yes. "Ensure", we wish.

"Their choice of Ms Kelly as a target demonstrates their visceral dislike of a world where women have power in and out of the home."

Untrue. Real F4J would have thrown an egg at a male minister, it's certain.

**Author Will Self** (otherwise known as Mr Deborah Orr) warned that "if you start following the internet trail from some militant fathers' sites, it isn't too long before you reach the Stormfront White Nationalist Community ... Yet there are also plenty of blameless separated fathers who are denied access to their children by disturbed and vindictive mothers. Some of these are driven to militancy - others to despair..."

McKenzie speculates that the real reason for the closure of F4J by its founder Matt O'Connor was not disgust at his out of control crypto-fascist elements; the entire press corps dismissed the Sun's scoop over a plan to kidnap Leo Blair as wild fantasy, possibly spun into the paper because it was the day the CSA's disasters were announced. O'Connor can't have taken it seriously either.

No, his action looks like a classic case of activist burn-out. It's common enough, and FNF has lost many good people over the years to a natural desire to move on and get a life, and not live in the goldfish bowl of a particular campaign. O'Connor has a new young family, and all along he's had a business to attend to.

But quite often it's hard for an activist to admit that things have got too much and that it's time to take a breather. FNF is used to the phenomenon of people blowing out, and, like Samson, trying to take the temple with them. It's a pity Matt had to tell the media that many fathers don't deserve contact.

**F4J was both good and bad for FNF.** F4J was good in the sense that, whatever critics might say, it raised the issue of disenfranchised dads up the political agenda. The debate about shared parenting is now mainstream. It's true too that FNF's more measured, constitutional approach to campaigning has often been easy for politicians to ignore.

F4J also provided something of a sand-pit for some of the more restless individuals to play in, and sometimes throw mud at each other. Thanks perhaps to F4J, FNF has been at peace with itself, past in-fighting a distant memory.

On the other hand, FNF membership certainly suffered for a period. F4J nicked a lot of media gigs where FNF might have made the case better. FNF membership has once again started to rise.

Still, on balance, F4J was probably a good thing. They failed to acquire the heroic mythical status of the Suffragettes, but then unlike the latter, F4J never fire-bombed the Prime Minister's house.

**Ruth Kelly took her egging with dignity.** "This is just one of those things that comes with being a politician," she said.

**Former Radio 4 Today editor Rod Liddle** stood up for F4J activists. As he pointed out, they are still regarded as attention-seeking nutters, while Greenpeace, who recently disrupted a speech by Tony Blair on nuclear power, in an attack very similar to the purple flour incident in the House of Commons, are brave and doughty underdogs.

Liddle cites the scandal of errant fathers owing the CSA billions of pounds in maintenance and the fierce political reaction to that. "But it is somehow far less of a scandal that about half of all contact orders are reneged upon. There is no criticism of the toothless courts or the blasé government: nobody turns a hair..."

Actually he's wrong. There's quite a lot of criticism and comment. But he's right that there's no action.

"That most inept outpost of the legal system, the family courts, are possessed of an institutional bias against fathers, both in the issue of custody and the awarding of maintenance. Quite the most explicit sexual discrimination occurs in these courts every day of the week. Polite opinion does not mind because it is taken as an article of faith that society, and the legal system in particular, is weighted against women.

"So when a divorced woman takes the stand in a family court and suggests that her children might be rendered 'anxious or depressed' by contact with their father, the claim is taken at face value and filial access is denied. There are very few countries in the world in which the divorced man possesses fewer rights over his own children. And fewer rights over the money he has earned, too.

"But we never really took F4J to our hearts, or gave their lamentations much of a thought. Our mistake, I suspect." (*The Sunday Times*, 22/1/06).



## The Contact Centre Gulag

I see my children at a contact centre in North London. Fathers seem lonely and battle-weary. I've mentioned to several about FNF; they say they haven't heard of it, but will mention F4J, but never thought of joining.

Maybe because it was a high pressure stunt group, or because they thought it would not be of much use in their day to day struggle to see their children. There are notice boards on entrance but no leaflet or hint of info for fathers apart from regular dictats about taking pics and mobiles. I wondered if FNF have approached the people who run these centres?

Fathers have very few rights; for example the centre makes me get the mother's permission to take pictures of my sons.

Silas

*This email originally appeared on the fnf-chat forum, and sparked a long thread about the value of contact centres. McKenzie has never written about these, and would like to hear people's experience. Most of the forum thread was negative in tone, though one email sent to McKenzie was full of praise for the staff at his contact centre.*

*Of course FNF has approached the National Association of Child Contact Centres, though the NACCC would do well to canvas our opinions more. We are the experts.*

*Contact Centres are usually run by well meaning, kind volunteers. Nonetheless, there's a feeling that many men should never have been made to see their children in these places in the first place. Where allegations of conduct were flimsy, to say the least, there was never a good reason why staying contact should not have started immediately. Some*

*centres are a little authoritarian; Silas refers to not being allowed to photograph his own children. Others are run by saints. Meanwhile, Government money is pouring into them, with the effect that lazy judges go for the contact centre cop-put order, while desperate dads agree to it, when the alternative is not seeing the kids at all.*

*In the Children Bill debate (see page 10) Tim Loughton MP, shadow Children's Minister commented, "I fear that the contact often takes place at rather soulless and anonymous contact centres, although I acknowledge that some of the voluntary organisations in particular do a very good job in that respect." While Sally Keeble (Northampton North, Lab) talked of the "woeful lack" of contact centres. Minister Beverley Hughes promised they would be receiving more money.*

## Do you have Contact Centre experience?

FNF is concerned that, whilst contact centres can be all that separates a father from seeing his children or not, too often the contact centre order is made to appease a mother intent on stopping contact, and not from any identified safety need, so we have mixed feelings about the extra Government money.

One FNF London member phoned the National Association of Child Contact Centres to find a centre for scheduled contact. The NACCC refused to give HIM the contact details for any.

Later, his mother phoned the NACCC and they gave HER a list of 8 or 9 contact centres in the relevant area.

*Good or bad, McKenzie would like to hear your contact centre experiences in time for the next issue. [media@fnf.org.uk](mailto:media@fnf.org.uk)*

## I no longer support the NSPCC

Thankyou for revealing in the Winter 2005 issue that the NSPCC has joined the campaign against Shared Parenting.

I have cancelled all my direct and indirect donations to the NSPCC. It is clear that their priority is not the children, but politics.

A children's hospice is a far more worthy cause.

G. Starkey

## It's about power not gender

I am an absent Mother, though not through choice.

I love the FNF forum, there are times when I feel so low, so desperate that I seek comfort within its pages or the main site, but I have to say there is one thing that really, really, really, really drives me nuts, and that is the totally unfounded, incorrect belief that this is a gender issue.

It isn't, it's a power issue, and the only reason more men suffer is because more women are given the power.

The more ignorant people bang on about gender, the longer it is going to take the law to get this right.

Amanda Davies

## An award from FNF?

It appears that, every time items on the news are about children or families, then the BBC interview a woman, and a TV viewer might then get the impression that only women are involved with child care. In order to increase the awareness that men are involved in families and raising children maybe FNF could make a yearly award to a father and mother, who have made outstanding contribution to raising their children, having a good work / life balance, keeping in contact with separated child etc. This could increase the profile of men with regard to childcare.

Graham Kneebone

## Male victims of domestic violence

are fairing no better in 2005 than they were in 1978. As a teenager I became aware of male victims of domestic violence when living in a local suburban vicarage with my family.

On a number of occasions I would hear late night visitors settling into our spare room and in the morning be greeting a man across the breakfast table who had suffered violence from his partner and had sought protection from them through the Samaritans, only to be told there was no specific place for them to be safe.

Most were on their own, and fearful or ashamed of telling their families. A few had children with them, as I remember, if they did, the children did not stay long, they usually were sent back to the mothers.

Being a teenager at the time did not quieten the abhorrence I felt that these men had no support other than my Father and the fact that because we lived in a large Vicarage we could offer some temporary refuge. It made a very vivid impact on me. I am aware that most of these men returned to their partners and back to an abusive relationship, I can only surmise that was the only option open to them as they could not stay with us forever.

It is a real indictment on our supposedly modern thinking society that support for victims of abuse is so unequal and biased. Surely this is a field where men and women do not differ, suffering does not recognise gender!

*Daisy Line*

Diversity Officer

West Norfolk Voluntary and Community Action

## We need a campaign for dads in prison

My husband is currently serving a prison sentence in HMP Liverpool. Since taking our children to visit their father I have been disgusted by the lack of facilities for fathers to interact with their children on visits and more importantly the time allowed for visits. In female prisons mother are given monthly or weekly "family" visits, allowing them to spend between 3-6 hours with their children compared to the men's 1 hour a week. This is something I hope with help can be changed and my reason for writing to you. I would like to campaign on this, and to hear from people who have an interest.

*Rebecca Rhodes*

rebeccarhodes@blueyonder.co.uk

*Research has shown that one of the best ways to break the cycle of offending is to connect fathers to their family responsibilities. Rebecca's letter shows that this is a low priority. Could any FNFeer run with this campaign? Contact Rebecca or media@fnf.org.uk*

## Testosterone deficiency

Thankyou Families Need Fathers for publishing my article on testosterone deficiency.

One of the people I am helping is struggling to get treatment via the NHS.

He has been dismissed as a

person with psychological problems by NHS consultants. Tests show he has a Pituitary gland problem. He is a beneficiary of the help FNF offers, as without them, he would not now be sharing his children with his ex.

However, his Testosterone deficiency is causing major problems. He believes it is the reason his marriage broke up. His symptoms were cited in the divorce case by his wife. Unfortunately doctors supported her view that he needed psychological intervention.

He has recently successfully sued the NHS twice in small claims court, for the return of the private prescription fee for his treatment. The NHS, in turn, has written saying they will pay up, provided he doesn't sue them again.

No offer of treatment via the NHS is forthcoming.

The concern is that this man will lose the shared custody, because he is out of work, unable to afford private medicine and faced with an NHS Trust in denial.

He has written a very well constructed history, with lots of good evidence, as he has obtained his own medical records. I have had sight of most of them and, in my opinion he has a very good case.

On another note, I am glad the other lot have disbanded. Now, perhaps FNF's wonderful and discreet work will be recognised and the system changed.

Nick O'Hara Smith

Publisher/Editor:

The Testosterone Deficiency Center

[www.androids.org.uk](http://www.androids.org.uk)

PS Unfortunately, I must point out a typo in an important area in my article. The necessary tests to qualify Testosterone levels are LH and FSH, not LH and FHS, as published.

## Women and equality

When fathers encounter prejudice are they writing to Meg Munn, the "minister for equality".

*Arthur Wright*

## The FNF AGM

I think the AGM in Brighton was very good. Congratulations to the organisers.

Tim Loughton was a good speaker. I hope that a cross-party pro-Family coalition can be built at Westminster and in Scotland and

Wales. Not every MP is hostile to what FNF believes. Sometimes, it just seems that way! Keep on keeping on!

Secondly, Brighton and Hove Library now has plenty of FNF info - books, leaflets and a poster. We might get more members/enquiries from that area.

Finally, I hope that all those "Radical Dads" from the defunct F4J don't hijack FNF. If they want to do crazy things, it must not harm the mainstream fathers' groups. They will probably do their own thing and the Police still won't be able to stop them. As long as the fundamental injustice exists, the protests, in various forms, will continue. I am sure there are still a few nearly-new Bat-Man suits hanging in wardrobes!

*Andrew Casey*

## I now see my daughters

You will be please to hear that I have moved to Coventry to live closer to my two daughters who moved with their mother from Bristol about two years ago. I now manage to see my daughters at least twice a week and have opportunities to pick them up from school and to attend school events.

Please keep up the good work on behalf of unfairly treated fathers.

*Andrew Bullock*

## Why not work with children?

For several years now I have worked with Children. I have always loved children and they have always loved me! I'm that guy who always has kids hanging off him and jumping all over him at weddings and parties etc!

Maybe you are the same? Maybe, like me, you need a job more part-time than full-time as the struggle to see your own children takes its toll. Maybe like me you have all this love to give but nowhere for it to go?

Why not work with children? The childcare sector are constantly making a noise about there not being enough men involved.

Check the local political magazine for your local Children's Service.

Working at a local After School Club is great, usually from about 3pm to 6pm. Not much money but very, very rewarding.

You may even be able to help change policy, particularly if you have been on the receiving end of domestic violence. It is amazing how the tension lessens and people begin to speak out when you are brave enough to talk about your experiences; suddenly stories flood out and people feel safe to say that all children need to be protected no matter who abuses whom.

The main charities have online searchable job databases, NCH, Barnardos, NSPCC etc.. also online magazines like *Children Now* and *Community Care* have plenty of jobs advertised either online or in print. A quick google search will find any of these websites for you.

*Steve Cunio*

## I want to find my dad

My name is Donna and I am 27 years old. I was brought up by my grandparents, had little contact with my mother (we now do not have a relationship at all) and I have never met my father and don't know who he is.

When I was sixteen I went looking for the man I thought was my father. A DNA test showed it wasn't him. I have had 5 DNA tests in total eliminating 4 men and I am now on my last quest.

I have been on a BBC documentary, there have been two newspaper articles appealing for people to come forward and one to be released this month and now I have been contacted by an agent for some women's magazines. If there is a fee payable to me for my story, then I would like to donate all the proceeds to your organisation.

I want to fight for the right for DNA to be recorded at birth and I feel that this should be law. Not only could police have a database but in for example my situation, I could go to a governing body and explain my situation and if I gave them my DNA, they could then match it with someone and contact them on my behalf. This would then comply with data protection. It should be the same situation as with sperm donor fathers.

The other idea I have is to have a book written about my search, the trials and tribulations I have overcome. When I first started my quest I did not have a clue where to start and there is always someone you inevitably hurt along the way but

you have to keep focused on what you are trying to achieve. If I don't find my dad then at least I would have contributed to those who are in the same situation as me.

I envy those who have lost contact with parents and then are reunited on shows like *Trisha* etc and I have always imagined that it would be me some day. But it can't be because I don't have a name to search.

My dad may not know I exist or he does and he is not coming forward. Either way I have to take the initial view. Whatever the case, he has missed out on 27 years, two graduations and a wedding. Some day he will miss out on being a grandad unless I find him. Who knows, maybe I might fall ill some day and unbeknown to him he may be a match for some sort of treatment.

*Donna Darling*

[donnadarling@hotmail.co.uk](mailto:donnadarling@hotmail.co.uk)

## [www.falseaccusation.org.uk](http://www.falseaccusation.org.uk)

I joined FNF several years ago, long before my ex thought it would be helpful to her cause to accuse me of abusing our little girl.

A year on bail, no charge, but no little girl, who is probably lost for a many years to come.

Determined that some good will come from this, can you put a reference to my web site in the next publication?

If it helps just one person it will be worth while.

I am still fighting the social worker, police and paediatrician all of whom have broken every rule in their book, I am lucky, if you call it lucky, I have the money and intelligence to fight them to all, God help those who are not, and of course FNF and McKenzie.

*Steve*

## There is one Family Law Reform in 2006

that could end misery for so many children, parents & grandparents! It would also save the country a fortune and lead to children being better supported financially, as well as emotionally by their parents!

Parenting should be shared between the two parents unless a parent poses a safety risk. As I understand it, this is also the position of the Labour Government, yet Labour refuses to correct our flawed family court system to make shared parenting a reality for children, parents and grandparents.

Government argues that to provide excluded fit parents with a

legal right (rebuttable for cause) to see their children would expose more children to violence.

In fact the reverse is the case. Shared parenting is safer for children. Unfortunately, Government continues to suffer from a blind spot over this issue, which means children continue to suffer needlessly.

And as the authorities learnt long ago in USA, parents who are being allowed to be fully involved in their children's lives are far more likely to support them financially, as well as emotionally.

*Tony Coe*

The Equal Parenting Coalition

## The NHS, Parental Responsibility and consent for treatment

*Below is a message to FNF from top teaching hospital, Kings College's School of Dentistry. You'd think they could the answer to this question from their legal department as a matter of routine. Though all praise to Doctor Zahra Tejani, who, unusually, felt it important to seek an answer to the question.*

I would be very grateful for some advice. I am a dentist that predominantly treats children in the hospital. Many of our patients' parents are unmarried and they attend with their father.

Obviously, we require consent for dental procedures and I am unsure as to when the unmarried father has parental responsibility.

Is it true that if the father's name is on the birth certificate of the child, that they have PR? Does this only apply if they have done this after December 2003?

I would be very grateful for any advice you can give me as this is quite a dilemma for our department. Many thanks, Zahra Tejani, Specialist Registrar in Orthodontics, Kings College London.

*Bearing in mind that this is a major teaching hospital, it is quite extraordinary that they can't get this info from their own legal department.*

*On the other hand, it does say something for the profile of FNF within this little corner of the NHS - in that they have come to us for advice.*

*Worrying too that our reply could possibly prevent a large number of dads without PR from playing a father's role in taking their kids along for treatment.*

## One court for all Domestic Violence?

"In New York State there is now a number of courts which deal with all aspects of domestic violence, both criminal and family, under the same roof, often by the same judge..." said former Family Division President Elizabeth Butler-Sloss. "The recognition of the seriousness of domestic violence has been an enormous step forward; and to have one court to deal with all its consequences would be another major step in the recognition and management of a serious cancer in society." (*Telegraph*, 6/12/05).

FNF can probably endorse this idea; too many contact applications fall foul of flimsy accusations of domestic violence, which are allowed to hang over the case without ever proceeding towards a rigorous finding of fact. As a result, the falsely accused man often finds himself stuck in a contact centre. While a woman with a genuine problem may find herself not readily believed.

Meanwhile, Sarah Brown, the wife of the Chancellor Gordon, our future Prime Minister, called for an end to **the "taboo" surrounding violence in the home against women and children.** She unveiled a series of posters and radio messages on Valentine's Day aimed at raising awareness of domestic violence.

McKenzie asks, is she serious that this is a taboo? Family policy makers, and social commentators talk about

nothing else (as in the Butler-Sloss example above).

Mrs Brown is a patron of the charity Women's Aid. Women's Aid claims that abusive relationships often begin with what may at first be seen as a flattering display of romantic love. But along with the flowers can come the first danger signs of jealousy.

McKenzie can't help thinking that their campaigns would cut more ice with both women and men if they didn't target the good things about the relations between men and women.

And also if they addressed the real taboo, which is violence by women on men. Then FNF could form an alliance with Women's Aid, to the benefit of both genders.

Meanwhile, watch it chaps. If you buy flowers for a woman, this could be the first sign that you are an abuser.

## Record numbers of men are being hit by their stressed-out wives and girlfriends

(*The Independent on Sunday* 13/11/05). One of the world's leading feminist journals will investigate the issue of male abuse for the first time in its history: the *Psychology of Women Quarterly* will devote a whole edition to research on violent women and their behaviour towards men.

"There is a strong cultural ethos drummed into men from an early age that it's wrong to retaliate but these attitudes are not drummed into women," said John Archer, Professor of psychology at the University of Central Lancashire. "The Rebecca Wade case was treated as a joke which typifies the differences in attitudes. The male victim is seen as a subject of fun."

## %Number crunching:

### The Reasons for divorce

A survey of UK family lawyers by top accounting firm Grant Thornton's Forensic practice gets to the reasons people give for dumping their spouse.

**Cheating on one's partner: cheating by men went up from 55% in 2003 to 75% in 2004. It's hard to believe there was such a leap in reality. After all adultery generally takes one man and one woman. What this probably shows is that Grant Thornton's research is as dodgy as anyone else's.**

#### Reasons for divorce 2004 (previous year in brackets)

Extra marital affair	27% (29%)
Family strains	18% (11%)
Emotional/Physical abuse	17% (10%)
Mid-life crisis	13% (n/a)
Addictions	6% (5%)
Workaholism	6% (5%)
Business problems	4% (5%)
Other (including communication problems, growing apart)	4% (1%)
Decision linked to a personal choice (eg. only one partner wanting children)	2% (4%)
Problems of a sexual nature, loss in income	All less than 1%

### Unfortunate website address

For all your bedding plant needs, contact the Mole Station Native Nursery, New South Wales: [www.molestationnursery.com](http://www.molestationnursery.com)

## %Number crunching

One in five men won't even reach retirement if the Government pushes the age up to 67, because men have lower life expectancy (*The Daily Telegraph*, 18/11/05).

## %Number crunching

The homeless charity St Mungo's says that 40% of its community are on the street because of relationship breakdown. Government research has shown that marital breakdown has a broad impact on the housing market with 35-40% of the annual increase in the number of households the result of divorcing partners.

## Family Resolutions Evaluation

*The Family Resolutions Pilot Project took place in three courts in England It was hoped that the process would result in more parents making workable agreements between themselves, rather than going on to slug it out in court. Intended to help 1,000 couples, in the event only 62 went entered the process, with 32 coming out the other end. McKenzie No. 67 summarised the Guardian legal correspondent's account of how one hard-nosed and compulsory scheme in California has been very successful. FNF believes that compulsion is a necessary ingredient.*

### Problems

It seems that the various schemes were not well thought through, and that participants found them somewhat disorganised. The lawyers often tried to reformulate agreements once made.

1. referrals and completions were low.
2. the process took longer than the 12 planned weeks.
3. limited use was made of Parenting Plans;

the process was little different from in-court conciliation (see page 11 for news on Scottish parenting plans - that can be used in England). 4. local management of the projects was poor.

### Plus points:

1. parents welcomed the extra support; there's a need for it.
2. parenting education sessions were welcomed and enjoyed by both mothers and fathers.
3. parents who completed the pilot reported a better relationship.

### Other factors:

"Ownership" of the FR pilot was a significant problem.

But something similar could become mandatory as a "contact activity" post the Children Bill.

### Recommendations

1. There should be extra interventions developed to help parents sort out their troubles. Both hi and lo conflict schemes are needed.
2. Local judiciary, lawyers, mediators and Cafcass or whoever should be genuinely committed for these schemes to work .

## FNF Residential Volunteers, Conference, Coventry

30th June - 2nd July (Friday 6.00 pm onwards till Sunday, after lunch)

FNF Volunteers are invited to apply for a place at the 4th FNF Volunteers Conference. This conference is for people who actively contribute towards FNF's work. Branch officers and activists, along with Telephone Helpline volunteers and those contributing to FNF's Parenting Workshops will be given priority.

Each branch should nominate two people. We'd love to see members from longer established branches, so they can share their knowledge. There are 40 places available. If you are nearby, you can commute. If giving up the entire weekend is impractical, a branch may share the delegate place.

Accommodation and meals are free but branches should cover help with their delegate's personal travel costs. It may be just be possible to contribute some funding or arrange car sharing for those with difficulty paying.

Unfortunately, for various reasons there is no childcare on offer.

Further details will be posted in due course on the Members' Section of [fnf.org.uk](http://fnf.org.uk).

Nominations and enquiries to Steve Stephenson, Branch Development and Support:

[steve.stephenson@fnf.org.uk](mailto:steve.stephenson@fnf.org.uk)

[sue.secker@fnf.org.uk](mailto:sue.secker@fnf.org.uk)

or via the office.

## Black Men and Fatherhood - Encouraging responsible Black Dads

Seminar & Debate, West London  
27th April 2006, Ealing Town Hall  
Nelson Room, Uxbridge Road W5

6 pm - 9 pm: Entrance Free

Covering issues: identity, parenting, prejudice and education within the Black Family

## FNF office always needs more volunteers!

If you can spare a regular day or half day in Curtain Road, at the heart of fashionable Hoxton, let the office know. (Looks good on a CV too).

## Finances in a mess?

Greg Pogonowski, FNF member, of Ample Financial Services can help you get your finances back on track after the separation. Greg has agreed to donate a proportion of any fees he earns from referrals from FNF to the charity. So if you call him for financial advice, mention FNF, and we benefit.  
[greg@ampleholdings.co.uk](mailto:greg@ampleholdings.co.uk)  
01522 874949.

## Calling All Disabled Fathers!

*The Disabled Parents Network is running consultation events for disabled parents and we are particularly interested in getting in touch with disabled fathers, who are currently under-represented in our organization.*

1st April 2006, Novotel Bristol, Victoria Street, Bristol, BS1 6HY

6th May 2006, Novotel Leeds, 4 Whitehall Quay, Leeds, LS1 4HR

*You will have the chance to influence Disabled Parents Network's future development. The events are free, and we may be able to offer help with the costs of travel, accommodation and personal assistance. Child care will be provided. For more information contact me,*

Laura Bowey on 0115 9194565

[laurabowey@disabledparentsnetwork.org.uk](mailto:laurabowey@disabledparentsnetwork.org.uk)  
Unit F9, 89-93 Font Hill Rd, London N4 3JH,

[www.disabledparentsnetwork.org.uk](http://www.disabledparentsnetwork.org.uk)

0870 241 0450

## TV stardom beckons for FNF members

### Driving Mum & Dad Mad

THE HIGHLY ACCLAIMED PARENTING SERIES IS BACK  
Do you want to be a better parent? Do you struggle with a difficult child? ITV are looking for parents with naughty children to take part in a parenting course run by a top child expert. Would you like to be given the incredible opportunity of taking part in a parenting course that could turn your life around? If your child is between the ages of 3 & 9 years old, please call Granada in strict confidence on:

0870 881 0865

[drivingmumanddadmad@itv.com](mailto:drivingmumanddadmad@itv.com)

### Channel 4 investigates Cafcass

and is looking for participants in a three part documentary. We specialise in difficult documentaries of integrity, honesty and intelligence, sensitively handled programmes.

This ground-breaking series gives television the first opportunity to see what happens when families come in contact with the legal system in an effort to resolve their differences. We have unprecedented access including to Cafcass.

Call Karen or Lara on 020 7503 1640, [karen@khpl.co.uk](mailto:karen@khpl.co.uk), or [lara@khpl.co.uk](mailto:lara@khpl.co.uk) for a confidential chat at award-winning Karen Hamilton Productions.

### The House of Tiny Tearaways

Are you the parent or guardian of a child between the ages of 18 months and 9 years?

Are you at the end of your tether?

The House of Tiny Tearaways could help solve your parenting problems with leading child psychologist Dr Tanya Byron.

Call us now on 020 7428 6037

Or email us on [tinytearaways@outlineproductions.co.uk](mailto:tinytearaways@outlineproductions.co.uk)

No commitment is needed at this stage and all calls will be treated with strict confidence

### PAS Awareness Day

Did you know that the 25th of April 2006 is Parental Alienation Awareness Day ?

[www.parental-alienation-awareness.com](http://www.parental-alienation-awareness.com)

### The Shared Parenting Information Group

[www.spig.clara.net](http://www.spig.clara.net)

[www.parental-alienation.info](http://www.parental-alienation.info)

is a site prepared by an FNF member for PAS specialist Dr Ludwig Lowenstein

### The Journal of Parental Alienation

is now available for downloading at [www.HelpStopPAS.org](http://www.HelpStopPAS.org) as a free Adobe Acrobat file

[www.childsupportanalysis.co.uk](http://www.childsupportanalysis.co.uk)  
is the best CSA blog around

[www.dewar4research.org](http://www.dewar4research.org)  
is the most balanced domestic violence site around

non commercial

# small ads

are free to members



## Never Again!

### FNF "coin" key rings

*fits any supermarket trolley, gym locker never again get caught short of a pound coin. Available for branch fund-raising too.*

H.E.L.P - The charity Holiday Endeavour for Lone Parents, helps with cheap hols for lone parents.  
Tel 01302 728 791

**Do you have early copies of McKenzie, Access magazine, old newspaper cuttings, or any other artefacts of interest to FNF historians? We've been going over 30 years, and much early material is missing. Send it in.**

FNF has many publications. The newest, **How to get the best Cafcass report for your children and yourself** by John Baker is now our bestseller £7.50 to members, £15 to non members inc. p&p

## The FNF logo tie

To Order : - Contact Phil Howarth, Secretary, Southport & Northwest FNF. Very useful for official events, visiting the Children's Minister, going on Newsnight, AGMs  
[phil.howarth@uuplc.co.uk](mailto:phil.howarth@uuplc.co.uk)  
01925 537434

## FNF lapel pins

[fnfwestmids@yahoo.co.uk](mailto:fnfwestmids@yahoo.co.uk) or  
[colin@psychologyatwork.co.uk](mailto:colin@psychologyatwork.co.uk)  
01675 463293

## CSA help offered free to FNF members - Kit

Stenning, 020 7423 1000. Before contacting him, check the information on [www.fnf.org.uk](http://www.fnf.org.uk)

## Freelance copy editor/proofreader

with experience in magazine editing, offers assistance by checking your letters, articles, documents etc for presentation, grammar, spelling and punctuation for a professional approach. (Already working with FNF member on letters to MP, ombudsman, CAFCASS and a press release). Reduced rate of £10 per hour to FNF members. References available. Enquiries to Nicki Diamond. Tel 01227 265214  
[njd2210@yahoo.co.uk](mailto:njd2210@yahoo.co.uk).

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## Dad's Place: a new guide for fathers after divorce

by Jill Burrett

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## Pellmans Solicitors

1 Abbey Street, Eynsham, Oxford, OX29 4TB  
have represented FNF members over many years  
[mail@pellmans.co.uk](mailto:mail@pellmans.co.uk)

...continued from front page... ex came to their senses and dumped their lawyers.

Simon's case was taken up by top media silk James Price QC, and as McKenzie went to press, judgement from President Potter, and Lord Justice Wall is awaited. Simon's is a test case; he aims to have a draconian publicity injunction lifted so he can tell the happy ending. His daughter has found the media reaction to her parents' case interesting and stimulating.

FNF can lay reasonable claim to having started the campaign for open family court justice, many years ago. It's fitting that Ian's work was in there at the kill.

There are pages of tributes to Ian on [fnf.org.uk](http://fnf.org.uk). It's worth a look, even if you didn't know him, because he represented everything that is good about FNF and the determination to see basic family justice. One contributor refers to Ian as his "pupil master".

Of course Simon's is not Ian's last case. Ian may be gone, and with him more knowledge of family law than most lawyers, but his work continues, replicated to a high level of knowledge and expertise through the many to whom he was "pupil master". These people continue his work as FNF McKenzie friends, or by giving support at meetings, or on the Helpline or over the internet.

### The Ian Mackay Memorial Fund

is taking donations now via the FNF office. It is hoped to use it to help meet the travel expenses of McKenzie friends, where the litigant-in-person can't afford them

## Toynbee

### The column devoted to man-hating clap-trap

"The new mass women's lobby must include men. For feminism to overcome its 21st century issues we must forget about the sex war," said Dr Katherine Rake, director of the 140 year old Fawcett Society, "the UK's principal advocate for women's rights".

"We want to change not just what childcare the state provides, but who changes the nappies at home," she declaims. McKenzie asks, er, does any man not change nappies these days?

"When this is taken into account," she continues, "it becomes clear that men must be part of the solution ... Happily, many men are ready for this change ..." [of nappies] "... importantly, we will reach out to men too. Now, more than ever, we need all like-minded women and men to join us." (*The Guardian* 2/2/06).

The out-reaching is going terribly well. All twelve of the The Fawcett Society's trustees and its entire staff are female. At least the "Equal" Opportunities Commission manages to have four male commissioners out of its fifteen.

### Let's have a man tax

"Why not force every man automatically to pay 15% of his income weekly direct to the mother from the day they split or he fathers a child?" asked Polly Toynbee (*The Guardian*, 18/11/05).

"Recently a new party, the Feminist Initiative, flourished briefly in Sweden. Sadly," regrets Polly, "like many groups here in the 1970s, it fell apart when taken over by radical lesbians wanting to ban marriage, abort male foetuses etc.

"But they came up with one good idea - a man tax. Work out the extra cost of men to the state in crime, violence, car crashes and non-payment of maintenance, and tax all men the way insurance companies price high-risk groups regardless of individual qualities.

"Where is the ancient music of mothers clattering their saucepan lids down Whitehall for their rights?"

Why you so fussed Polly? Men die younger, that's a good thing, surely? And these days women don't clatter saucepan lids. They are too busy in the boardroom of the Fawcett Society.

## Court secrecy: the Harman sisters

McKenzie unaccountably missed the banning for three months of Sarah Harman from working as a solicitor, back in November.

Mr Justice Munby found her guilty of contempt of court. This was after she had shown papers in a family case to Harriet her sister, and minister at the Department of Constitutional Affairs.

FNF members have routinely shown each other their court papers for years. Ian Mackay had boxes of them in his house, and if you are lost there, fear not, FNF is in control of the situation.

Paradoxically, Munby is a strong advocate of more open family courts. His criticism of Sarah was that she misled the court by applying to release information without admitting that she had already done so.

In fact the Harman family, having been caught out, are late, but welcome members of the Open the Family Courts lobby, which FNF can lay reasonable claim to having founded many years ago.

In October, Munby gave a lecture at the Jordan's Family Law Conference. He said, "*The newspapers - and I mean newspapers generally, for this is a theme taken up with increasing emphasis by all sectors of the press - make uncomfortable reading for us. They suggest that confidence is already ebbing away. We ignore the media at our peril. ... We need to act. And we need to act now ... much of what goes on in the family courts is virtually invisible, a state of affairs which merely feeds the anxieties of those who are critical and which tends to lead all too easily to the increasingly frequent complaints that the family justice system is a system of secret, and therefore unaccountable, justice ... It is all too easy to attack the system when the system itself prevents anyone correcting the misrepresentations being fed to the media.*"

## %Number crunching

### 80% of families sent to antisocial behaviour

"sinbins" are headed by single mothers says a report by Sheffield Hallam University. The study, of 99 families, is an interim assessment for the government of six projects across the north of England offering intensive help to disruptive families who sign up to strict behaviour codes. (*The Guardian*, 18/1/06)

McKenzie

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MARCH 2006  
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Thanks to proof readers, Ania Garbiak, Ruth Glover, Ian Julian, Rebecca Kingdom-Kruszewski, Fairless Masterman, Cassy Schofield, Nadja Singh, Matthew Stannard, Steve Stephenson, Odile Thomas, Ian Tyes. Some errors may have crept in after their good work and are entirely the fault of the editor

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