

TO

The Rt Hon Alistair Darling MP
Chancellor of the Exchequer
HM Treasury
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SHARED PARENTING AND THE 2008 BUDGET

Families Need Fathers (FNF) would like to offer you our proposals for your coming Budget.

FNF exists to promote child welfare: in particular, the need of children whose parents live apart to have the full involvement of both their parents unless, in exceptional cases, this would be against the child's interest. As is proper for a charity our first task is social care work. We support parents to get, and to use for the best, adequate parenting time with their children. We have a raft of services to help and advise such parents. We are the most important single source of help for them. The total number of 'contacts' with them is now some 400,000 pa. We get core funding for this work from the DCFS. They and other funders support particular projects. There remains a lot of unmet need. Some 2.5 million parents live apart from some 4 million children.

Encouraging the sharing of care and costs between parents is a powerful tool to reduce child poverty. Currently the allocation of caring responsibility to just one parent precludes her from earning enough to keep her children and herself out of poverty - at least without exposing them to the risk of insufficient parental attention. The sharing of care will enable more parents to earn adequately. The Gender Equality Act and the Gender Equality Duty make this issue highly topical.

Some of the biggest economic costs to the government are those imposed by children and young people who are a problem to themselves and others. Many of these come from one parent households. Their lone parents often do their very best in adverse social situations and they are not to be blamed individually. But ending the assumption that parental division entails one parent having all the responsibility and the other has only financial obligations would enable many of these children to have the parental attention and emotional support that they need.

While we welcome the Government's efforts at reducing child poverty and access to support services, the encouragement of shared parenting which is at the heart of our work is to a significant extent hampered by the activities of the Government. In the context of your Budget we draw attention to three particular aspects: the tax system, the benefit system and the courts administration.

Starting with **the tax system**, both Working Tax Credit and Child Tax Credit assume that, after a relationship breaks down, only one parent needs to be given financial support. This is unfair and unrealistic. Only in a minority of cases is only one parent involved in bringing up a child after separation. It is much more typical that both parents are involved, and necessarily they both incur costs. They have to provide accommodation, travelling expenses, clothing, entertainment and pay for a range of other expenses. Both Credits need to reflect these social realities, by allocating the financial benefit pro rata to the genuine parenting costs incurred by each parent. Currently for example, Child Tax Credit can only be shared with the agreement of the 'resident' parent. This is clearly unrealistic.

Turning to the benefit system, the holder of the Child Benefit book is viewed by the Department for Work and Pensions (and the CSA) as the 'primary carer' of a child for benefit purposes. Entitlement to other benefits may depend upon custody of the Child Benefit book.

The primary carer in this instance is defined as the home where the child sleeps most nights. So hypothetically a parent could see their children 365 **days** per year but if they sleep every **night** with the ex partner then they are the primary carer and entitled to the benefits. More typically a parent might look after their children every other weekend, and at least one night during the week, yet not qualify as a carer. For the same reasons as in the case of tax credits, this broad approach is unfair and unrealistic. Child benefit should be allocated equitably and only then should it operate as a passport to other benefits.

Eugen Hockenjos won a case fought by the Department of Work and Pensions right up to the House of Lords and established that the failure to share the child additions to job seekers allowance between parents when care was shared was unlawful. These precise benefits have been abolished in the meantime, but the same principles apply to all state payments to help parents. Currently these go to only one of the parents, and in the case of child benefit by legal preference to the mother, irrespective of how the costs and care are shared between parents. The latter decision was taken 30 years ago and it is time for the law to adapt to how society has changed.

We make two points on court administration:

- Perhaps rarely among pressure groups we propose that Government reduces spending on activity: family law cases should not be eligible for legal aid. This only serves to strengthen the adversarial culture which splits up children from their parents after divorce and separation.
- The recent fee increases in the Family Court have placed an unreasonable burden on many applicants, who are going through a highly stressful experience and are often among the financially excluded. Some fees went up eight- or nine-fold, and in one case over

forty-fold. They fall disproportionately on non-resident parents. These increases should be reversed.

We would welcome an opportunity to discuss our proposals with a Treasury Minister.

Jon Davies

On behalf of Families Need Fathers