

PE1513/L

Families Need Fathers Scotland supplementary submission of 16 July 2014

As discussed by telephone, I am forwarding the link (below) to a report by the Centre For Social Justice.

http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJJ2072_Family_Breakdown.pdf

The report was published at the end of last week.

Families Need Fathers Scotland has no connection with the Centre for Social Justice. Neither are we in a position to endorse the report which draws on its own survey data and wider research focussed on England and Wales.

However, it may be of assistance to the Committee to note there are several sections that cover some of the issues raised in Mr Park's petition.

It seems both are addressing a public policy deficit summarised by the CSJ statement:

"95 per cent believe that fathers are important to a child's wellbeing but 49 per cent believe that this and the previous Governments' policies treat fathers as unimportant. [page 19]

I am attaching a summary of what we pick out as the relevant sections for your assistance.

Yours,

John Forsyth
Families Need Fathers Scotland

Summary

The CSJ goes into greater detail in its chapter on Fathers Matter [pp27/28]:

"Given the importance of both parents to a child, it is therefore essential to challenge the assumption we frequently encountered in our research that fathers are optional extras in family life. While a dependent child losing touch with his or her mother is rightly considered to be a tragedy, the same yardstick is not routinely applied when fathers disappear from their children's lives.

Yet studies show that:

Fathers' involvement boosts children's self-esteem and confidence and children with good relationships with their fathers are less likely to experience depression or exhibit disruptive behaviour;

When fathers are actively involved in children's care, children are more likely to feel good about themselves, do well at school, and avoid trouble.

It is therefore highly concerning that over a million children have no meaningful contact with their fathers⁵⁰ and by the end of their childhood a young person is considerably more likely to have a Smart Phone than a resident father (only 57 per cent of 15 year olds are still living with their fathers while 62 per cent own a smartphone).

The default attitude of many professionals, including those delivering statutory services, can be that fathers are, at worst, somewhat risky to their children's safety, and, at best, irrelevant to their wellbeing. Without 'essential-ising' fathers, and saying they are always indispensable no matter how they act, we argue instead that they should be seen as potential resources to mitigate the many risks children are exposed to, especially in impoverished and dangerous neighbourhood."

Joint registration of births [pp 81 -83]

The report goes into some detail not only on the legal practicalities of joint registration of births but, further than that, argues that there are positive benefits to be derived from it

"At present, the law on birth registration signals that fathers are less important to children than mothers and that less is expected of them. The mother is named automatically, but an unmarried father has to be present at the registration or submit a form declaring paternity to be named. Crucially the mother's approval is also required.

Being named on the birth certificate confers parental responsibility and gives the parent(s) the right to be involved in decisions such as where the child lives, their education, religion or medical treatment.

Although the 2009 Welfare Reform Act required the father's name on his child's birth certificate, the Coalition Government has not pressed ahead with its implementation amid understandable but unfounded concerns that this would prevent mothers from protecting their child/ren (and themselves) from violent fathers.

[The 2009 Act states that joint birth registration would not be required where:

- a) 'that by virtue of section 41 of the Human Fertilisation and Embryology Act 2008 the child has no father,*
- b) that the father has died,*
- c) that the mother does not know the father's identity,*
- d) that the mother does not know the father's whereabouts,*
- e) that the father lacks capacity (within the meaning of the Mental Capacity Act 2005) in relation to decisions under this Part,*
- f) that the mother has reason to fear for her safety or that of the child if the father is contacted in relation to the registration of the birth, and*
- g) any other conditions prescribed by regulations made by the Minister.'*

Subject to these exemptions, both unmarried parents would both be required to be named on the birth certificate. Where the mother wanted the father recorded, but this was against the father's wishes, the mother would be permitted to identify the father independently, and then he would be required to be named on and sign the certificate (subject to a paternity test if necessary). Similarly, a father who wished to be named but who was obstructed by the mother would be able to declare his paternity and have his name recorded against her wishes (subject again to a paternity test and the exemptions above).]

The CSJ report recommends that the Government should implement the 2009 Welfare Reform Act Schedule 6 on joint birth registration because of:

"The benefits of signalling expectations – to fathers and services

Joint registration has important symbolic value: fathers matter to children and the law ought to reflect this. Fathers' failure to be registered on the birth certificate is a predictor both of decreasing involvement and low- or non-payment of child maintenance. [pages 80/81]

It may also encourage practitioners to think about fathers: requiring maternity staff and registrars to discuss the subject of the father's birth registration with both parents, as included in the 2008 White Paper, would help draw fathers into antenatal services on a formal basis. Maternity and teenage pregnancy services would need to have a conversation with the mother about the duty to register the father.

Children's right to know their parentage

Article 7 of the UN Convention on the Rights of the Child requires countries to ensure 'as far as possible' that a child's parentage is recorded. The desire to know where we come from is a strong one – often particularly strong when our experience is the contrary. Even where a father is not present he often continues to exist in the mind of the child, and future adult."