

# Breakthrough Britain

*Ending the costs of social breakdown*

## Volume 1: Family Breakdown

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Policy recommendations  
to the Conservative Party

Social Justice Policy Group  
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July 2007



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# Executive Summary

## *Introduction and State of the Nation*

The family is where the vast majority of us learn the fundamental skills for life; physically, emotionally and socially it is the context from which the rest of life flows. However family stability in Britain has been in continuous decline for four decades, and adults and children today are increasingly faced with the challenges of families which are dysfunctional (often because of mental health issues), fractured (through separation or divorce), or fatherless (15% of babies are born into homes with no resident dad). This is especially the case in the least advantaged sections of society but these trends also profoundly affect people across the socioeconomic spectrum. Mental health is the 'Cinderella service' and the policy-making community has been reluctant to 'grasp the nettle' of family breakdown by sending clear signals about the benefits of marriage and committed relationships, and the merits of supporting and encouraging them.

Despite these demographic changes there has been a lack of serious debate concerning their causes, effects and likely remedies. To open that debate, *Fractured Families* looked closely at consequences and causes of these trends:

### *Consequences*

- Since the early 1970s there has been a decline in marriage, and a marked rise in the numbers of lone parent families.
- The ongoing rise in family breakdown affecting young children has been driven by the dissolution of cohabiting partnerships. The majority of these are less stable than marriage (European data shows that by a child's fifth birthday less than 1 in 12 (8%) married parents have split up compared to almost 1 in 2 (43%) cohabiting parents).
- The intergenerational transmission of family breakdown and its associated disadvantages is seen in the way children who have been neglected or un-nurtured are highly likely to go on to create dysfunctional families subject to further breakdown. Similarly there is an overrepresentation in teen pregnancy statistics of girls from fatherless and broken homes.
- Crime is strongly correlated with family breakdown - 70% of young offenders are from lone parent families and one third of prisoners were in local authority care (yet only 0.6% of the nation's children are in care at any one time).
- Costs of family breakdown to the exchequer are estimated to be well over £20bn per annum.

*Causes and current/previous governments' policy approaches*

- Family structure and family process matter - making a commitment can make a significant difference to behaviours and attitudes but our tax system makes no recognition of marriage and the importance of interdependence between family members. The couple penalty in tax credits disincentivises low-income couples from living together and especially from making a co-residential arrangement unambiguous by marrying, thus implicating the welfare state in the rise of family breakdown.
- Poverty places enormous strain on relationships, as does poor housing and the lack of meaningful employment. (Research indicates the relationship between levels of lone parenthood in an area and poor job opportunities for men.) Supporting adult relationships must be a key concern of family policy rather than of peripheral interest as is currently the case.
- In 1998, the government consultation paper *Supporting Families* proposed a range of measures to strengthen marriages and families (such as wider roles for registrars in the provision of marriage preparation and information) but nine years later, very little government policy is directly preventative of family breakdown and lone parent family formation has, over the last quarter century, consistently increased by 40,000 families per year
- Research across 18 European countries indicates that one fifth of the increase in divorce rates over the last 40 years is due to the combined effect of legal reforms over that period
- Funding is focused on teenagers to prevent crime and anti-social behaviour and intervention in the early years of a child's life is couched in similar terms. Too few resources are targeted on the early years as part of a more positively focused effort to radically improve *life chances*

*Aims and Objectives of Proposed Policies*

In the light of these findings, policy must aim to build stronger families. State support should be provided in a way that encourages family networks to be self-supporting and well-rooted in the community and further strengthens the many families which are under pressure, but currently working well.

A body of policies which can fulfil this aim must have the following objectives and would:

*Facilitate family stability and minimise family breakdown by encouraging healthy family relationships*

- High levels of family breakdown across the socioeconomic spectrum indicate that many people are struggling to sustain healthy relationships. Parents are increasingly asking for some guidance on how best to raise their children. A tiny percentage of government money is spent on preventing family breakdown compared with its cost to society. Instead funding is focused on dealing with the effect of broken lives.

*Build relational competence*

- The collapse in marriage and committed relationships in many low-income communities means that many children and couples have seen no role model of permanence or exclusivity. These communities are characterised by high expectations (of relationships) and low capacities (to manage them well). Domestic violence, crime, poverty and addiction corrode these neighbourhoods' social capital. Breaking the cycle of disadvantage is essential but requires tackling the high prevalence of psychosocial (including mental health) problems

*Focus on the first three years of children's lives and assist families during other periods of vulnerability (which may be prolonged eg. when disability is a factor)*

- A lack of nurture in the first 36 months can have lifelong consequences for mental health. Parents from dysfunctional families often struggle to provide this, perpetuating disadvantage. Fighting for appropriate care, help and support for a disabled child or adult can strain family relationships. Wide discrepancies in access to disability support services exist between and within local authorities.

*Maximise community-level support and minimise dependence on the state*

- Extended family relationships are breaking down and the state provides little or no support and encouragement for them to flourish eg. by making it financially viable for care of children and the elderly to take place within the family. Parenting and relationship support could be far more grounded in local communities and draw more on voluntary and community sector providers.

*Send the message that every family matters, an essential complement to the more usual 'every child matters'*

- The politically 'safe' emphasis on the parent-child relationship ignores the quality of their parents' relationship, a crucial dimension of child well-being. High rates of single parenthood mean too many fathers are missing out on active engagement in raising the next generation. Early fatherhood does not draw disadvantaged young men into dependable and responsible adulthood. A lack of purpose continues the cycle of worklessness, addiction and crime. Focusing exclusively on poverty and neglecting the couple relationship at the heart of the family will never shift these statistics.

*Create a positive policy bias in support of marriage*

- The tax system does not recognise the benefits which marriage brings to society and the tax credits system disincentivises adults from openly living together and encourages fraud. (The Government is paying tax credits and benefits to 200,000 more lone parents than live in the UK.) Comparative European research indicates that welfare benefits can drive up lone parent

family formation and encourage solo living. Marriage has been downgraded in official discourse and increasingly undifferentiated from cohabitation despite marked discrepancies in the stability of married and cohabiting couples.

### *YouGov Polling (Apr-May 2007)*

- 80%\* agreed that it is better for pre-school children to be looked after by a parent at home rather than by a childminder or day nursery, whereas only 29% of people agreed with the statement that we should be trying to encourage mothers to go back to work and contribute to the economy, rather than making it easier to stay at home
- Three-quarters\* agreed or strongly agreed that public money should be spent on community-based centres which parents can visit if they want advice or guidance on parenting
- 86% agreed that 'People needing government-funded social care (e.g. due to illness or disability) should have the right to choose from a range of providers to find the one that best suits them'
- 96%\* of people agreed with giving extra support for people to care for elderly relatives
- 80%\* agreed or strongly agreed that extra support for marriage should be given in the tax and benefits system
- 76% agreed or strongly agreed that money should be available in the form of home care allowances, 52% that 'child benefits should be 'front-loaded', allowing parents to claim more of their child benefits in early childhood and less when children are older' and 85% that if parents receive money from the state to bring up their children they should be willing to attend classes if necessary.
- Over 90%\* agreed with the statement 'Fathers are currently unfairly treated by the courts and not given the same rights, as a matter of course, as mothers' Only 22% agreed that fathers have adequate access rights and over 90% agreed or strongly agreed with the statement 'Fathers should be forced to take more responsibility for helping to bring up their children after separation or divorce.'

### *Proposed policies to meet these objectives*

Our proposals do not promote marriage *at the expense of* single parents but include many measures intended to support people in all types of families, for example by better integrating them into the communities of which they are a part.

To deliver greater family well-being and improve mental health we recommend:

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\* Of those expressing an opinion

- *Family Services Hubs with an enhanced role for health visitors*  
Facilities at the heart of communities to enhance current, community-based service provision, a greater degree of integration of services to maximise efficiency and coordination of professionals and voluntary sector providers. Five 'hubs' have been established which provide a good model for what we are proposing. Such hubs would emphasise support for parents in their children's first three years with an enhanced role for health visitors in preventing dysfunction in very young children's cognitive and emotional development. Intensive home-visiting programmes, like the Olds Nurse-Family Partnership to be implemented as a matter of priority (as much data will have already been gathered from pilots currently taking place)
- *Enhanced support and training for professionals*  
System changes to the child and family workforce (such as direct access to mental health professionals for young children, tiered access to family services, common inter-agency training and application of a coherent model of family support) to enhance effectiveness.

To roll out relationship education across the nation we recommend:

- *A national relationship and parenting education 'invitation' scheme for couples and parents at key life stages*  
Development and national roll-out of nine streams of relationship and parenting education programmes, operated locally by the voluntary sector through appropriate access points (including Family Services Hubs). Universal and targeted services to access vulnerable families would reach 800,000 families every year once full capacity is reached. Evidence from US programmes indicates high take-up: 100,000 completing marriage and relationship education programmes in Oklahoma since 2001 with positive effects (lower conflict, higher satisfaction, lower divorce risk) and younger, lower income respondents more - not less - likely than others to report interest in relationship education.
- *A new Marriage and Relationships Institute (MRI)*  
To act as champion and administrator of a major series of preventative initiatives, most notably the 'invitation' schemes, and commissioner of a major research programme into what makes marriages and families work.
- *Relationship education in schools*  
PSHE curriculum changes to provide a specific opportunity to learn about, explore and discuss the nature of marriage, family and relationships, with the voluntary sector strongly encouraged to deliver many of these resources.

To support families with disabilities we recommend:



- *Creative ways for delivering more respite care*  
Financial assistance for paying relatives and trusted friends (albeit at a lower rate). One stream of the 'invitation' scheme to provide respite breaks for families with disabled members, that include relationship and parenting support. Again, high levels of user satisfaction are reported in the US, where this is part of a state-wide initiative to stabilise family life
- *Simplified access to disability support/services through specialised Family Services Hubs such as mobile clinics*  
These would act as one-stop shops, providing or signposting to services so that the disability support system is simpler to navigate and families can more easily access the help they need
- *Creation of a new compact between local authorities and the disability community*  
A new relationship between local authorities and the disability community that draws on the latter's experience and the expertise of user-led voluntary sector services with councils more accountable for services they provide. Direct Payments (individual budgets) more widely available and treated as cash in hand, with no strings attached, reflecting the shift in emphasis away from what is simplest and cheapest for a local authority towards what is most appropriate for an individual's circumstances.

In reforming the welfare system to support the family we recommend:

- *An increase in Carer's Allowance and in the level of allowable extra earnings*  
with a subsequent taper applied instead of immediate loss of all benefit. UK's Carer's Allowance is very low compared to other EU countries (last year Ireland greatly increased its Carers Allowance to £135 for one person being cared for and £200 for two people)
- *A reduction in the couple penalty by enhancing the couple element in Working Tax Credit* such that all couples receive the same ratio of support to lone parents as they currently get in Income Support (taking into account the additional adult). This would cost £3bn giving 1.8m couples with children £32.05 more, on average, per week. At present a couple receives the same level of WTC as a lone parent. This measure would contribute to stability (marriage is almost always preceded by cohabitation) and alleviate poverty (60% of families in poverty are headed by couples)
- *A transferable tax allowance for all married couples (costing £3.2bn and giving £20 a week to those making use of it)*  
The further stability (and social benefit) that marriage brings is recognised in this additional measure for couples, which makes it easier for one parent to stay at home in the early years if they wish, or for one partner to care for an elderly relative or volunteer in the community. Cheaper options are



available such as transferring half the allowance, (costing £1.6bn) which would allow the usually non-earning spouse to earn £2.5k before paying tax. The wider issue of the incoherence in the tax and benefit system also requires attention. The unit of taxation is the individual, with little or no allowance for family dependants such as children, non-working spouses or elderly relatives whereas the unit of account in the welfare system is the family.

- *Front-loaded child benefit (and future consideration of home care allowances)*  
Making child benefit flexible so that a larger proportion of the child's total entitlement would be available during the first three years when parents most want to spend time caring for their children and when attachment and intensive nurture are most important (recommended by Frank Field MP). Linking this where necessary to ameliorative services such as parenting support, could vastly improve the life chances of children most likely to experience deficits in parental care.

To create genuine choice for families in the area of paid work and childcare we recommend:

- A reduction in the current bias in the tax credit system against informal care by allowing the use of childcare tax credit to pay un-registered close relatives (albeit at a lower rate) to reflect parents' preferences
- Targeted assistance for parents who currently struggle to nurture their children such as by offering therapeutic counselling (especially through community-based, voluntary sector providers) for carers and their babies within the first two years of the baby's life rather than steering them towards local authority childcare.
- Removal of the bias towards state-provided childcare. Private, voluntary and independent nursery providers face closure when local authorities establish their own subsidised facilities in areas where childcare needs are already adequately met. Partnership models should be more frequently adopted with local authorities signposting users towards existing provision. To free up Children's Centres to provide more family support we recommend that childcare should be located outside community-based Children's Centres wherever possible.
- Easing of current childcare disadvantages for disabled children. A higher rate of childcare tax credit to be available to pay for specialist services and higher staff ratio care. Local authorities to take active steps to encourage greater provision eg. by providing subsidised training for private, voluntary and independent nurseries

To support and facilitate cohesive families post-separation we recommend:

- *Judges be specifically encouraged to reinforce the importance of contact arrangements*

The Judicial Studies Board to be directed to explicitly encourage judges to stress to separating parties the importance of abiding by arrangements, the possibility of being held in contempt of court through non-compliance etc., thus increasing the likelihood that contact agreements will be honoured.

- *No exemptions for child maintenance applied to non-resident parents who are full-time students or whose income is less than £7 per week*

Exemptions undermine the principle that every child's non-resident parent should be financially responsible and pay something towards their upkeep (despite the CSA's inefficiency, the awareness of financial responsibility which its existence has engendered, is considered to be responsible for much of the 15% decrease in divorce rates since 1992).

- *Information and services to prevent subsequent breakdown*

A restyled Child Support Agency should signpost people to information and services (eg. to Family Services Hubs) which can ensure that their future relationships stand a higher chance of success

- *Improved access to justice to separating couples*

New fee structures for legal aid are driving many solicitors away from providing family law services, restricting future access of low-income people to justice. Family Services Hubs which co-locate and coordinate community-based services would either signpost people towards centres providing a range of legal and quasi-legal services or, depending on facility size, co-locate these services alongside other family support services (as in Australian Family Relationship Centres).

- *A review of family law conducted by a dedicated independent commission*

The relationship between the law and family breakdown and legal aspects of marriage, divorce, cohabitation, parental rights and the rights of the extended family (especially grandparents) are highly complex but require consideration. We recommend that this be carried out under the auspices of an independent body such as the Centre for Social Justice. We would say however that this report expresses grave concern over the negative implications of imposing rights and responsibilities on cohabiting couples. Notwithstanding individual cases of apparent injustice, many cohabitees have voluntarily chosen to reject marriage with the protection it provides. The liberal argument that people should not be penalised for this choice is flawed. Attaching legal provision would be illiberal (because it imposes a contractual obligation not freely entered into) and intrusive and would encourage inherently more unstable relationships (but we await the Law Commission's forthcoming report).

To ensure that family-centred policies are at the heart of local and national government we recommend:

- *Cabinet-level political representation for the family*  
Laming (2003) recommended that a ministerial Children and Families Board, chaired by a minister of Cabinet rank be established at the heart of government, with ministerial representation from government departments concerned with the welfare of children and families. As a first step, the current Domestic Affairs Cabinet Committee for Parents and Children should be chaired by someone of cabinet rank, its remit extended to cover the couple relationship and to consider inter alia the likely impact on families of all cabinet-level decisions.
- *Reinstatement of the use of 'marital status' in government forms and statements*  
Reinstatement and full public use of the term 'marital status' and associated terms 'husband', 'wife', 'spouse' and 'marriage', sending a clear and unambiguous signal about marriage. Marital status also to be reinstated as an independent factor in government-sponsored research.
- *The compilation of local data on social cohesion*  
A new statistical index of family and social cohesion is necessary. The Government's Social Exclusion Unit lists family breakdown as one of eight reasons for social exclusion and all seven other reasons are represented in indices of social exclusion. Such an index would make individual local authorities accountable for addressing family breakdown in their boroughs.
- *Robust local government support of relationship and parenting education*  
Just as local authorities must have a single commissioner responsible for assessing need and co-ordinating delivery of services to parents, a senior 'champion' should also be similarly responsible for relationship education (with the same degree of importance placed on that aspect of their role).

In using housing to promote security and independence for families we recommend:

- *Investigation of the extension or pioneering of right-to-buy, rent-to-own and shared equity schemes to create asset-owning families*  
Along with support for the most vulnerable in society, the social housing sector needs to be reconfigured once again to become a runway for financial and personal independence. Creative means should be considered for all social housing tenants to be able to build up capital within (and ultimately be able to purchase) the property they occupy.
- *Reform of the current system of housing benefit*  
Simplification of the system (which could move from being arrears-based to credit-based), and greater reliance on outreach workers to make new methods user-friendly for vulnerable families.
- *Introduction of flexibility into secured tenure in social housing*  
A proportion of social housing is occupied by tenants who have gained

sufficient financial security to no longer require such assistance or are 'under-occupying' eg. their families have 'flown the nest'. New tenants could be moved onto a more flexible tenancy arrangement which takes changes in circumstances into account

- *A commitment to increasing 'supported housing' projects*

Vulnerable families are often unable to manage households. Targeted support which helps them move towards self-sufficiency is an investment that repays itself many times over in terms of saved costs for failed tenancy eg. hospitalisation, resettlement, addiction treatment etc



### *Conclusions*

We believe that the tide of family breakdown (dysfunction, dissolution and dad-lessness) can be turned. Our policies pay particular attention to the needs of our youngest citizens, those in the first three years of life where the nurture of their parents is of prime importance. We want all children to grow into relationally competent and confident adults. As one expert respondent told us, 'Marriage is the natural consequence of two adults being able to commit to each other because their own emotional development is secure and has given them the necessary confidence.' We unashamedly support an institution that can be so beneficial, but acknowledge that there is much preparatory work to be done to improve the relational health of the nation, especially in communities subject to multiple disadvantage.

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# Section 1

## Introduction and State of the Nation

### *Introduction*

#### *The Structure of the Report*

In December 2006 we published an interim report, *Fractured Families*, on the state of the nation with regard to family breakdown.<sup>1</sup> We went into some depth to describe the trends in family formation, stability

and breakdown, the consequences of family breakdown and the causes. We concluded by indicating likely areas for policy recommendations, saying that

Family breakdown appears to be a pressing concern to the British public. When YouGov asked nearly 5000 adults to name two of the greatest problems facing society, 32% of people chose family breakdown (from a list of 7 options).and 90% of a smaller random sample (n=793) thought that family breakdown was a serious or very serious problem in today's society (YouGov Survey for SJPG April - May 2007)

*We believe that from the evidence gathered and presented here one cannot but conclude that family breakdown in all its forms is of serious concern to society, as well as to the individuals intimately impacted. For this reason we believe that we should rigorously explore what family-centred policies, rather than child-centred policies might look like. We are concerned that current policies, such as those encouraging the highest possible labour market participation for mothers (in the interest of alleviating child poverty) have not adequately considered the deleterious impact on families and relationships....*

*Secondly, it is clear, that we should be emphasising prevention as well as cure. We will be looking at how to stabilise current families as well as how to re-establish stable family relationships and structures as a part of a socially responsible society. Marriage continues to offer the most stable and durable framework, but there is not a high level of awareness of these benefits.*

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<sup>1</sup> Downloadable in full at [http://povertydebate.typepad.com/social\\_justice\\_policy\\_gro/files/BB\\_family\\_breakdown.pdf](http://povertydebate.typepad.com/social_justice_policy_gro/files/BB_family_breakdown.pdf)



Childcare outside of nursery

*Thirdly, and in relation to this last point, we want to look closely at how we better enable individuals, rather than the state, to raise their families and how to align services in a way that offers families genuine choice. We have, for example, become aware of the huge strain placed on relationships in families where there is disability. Not only does dealing with the disability produce tension but in large measure so too does fighting for care, education and other support services. If we are implicating the welfare state in the rise of family breakdown, we need to consider workable adjustments and indeed complements to it. The notion of the welfare society embraces a social responsibility agenda which begins to consider how to encourage people to make decisions based on the wider good of society, on deferred gratification rather than instant returns. It also draws in the wealth of talent and energy in this country's voluntary sector organisations.*

This introductory section will briefly summarise the rationale behind choosing the eight areas of policy laid out in the main body of our report. It will do so in terms of the problems they are intended to address, given the current state of the nation. Section 2 looks at causes of family breakdown and focuses specifically on current policy emphases and approaches, highlighting why and where continuity or departure from these is appropriate. (The Conservative Party asked us to make policy proposals to best prevent family breakdown and mitigate its effects. The working group sat as an independent consultative body, and three-quarters of its membership, including the chair and deputy chair, have no affiliation to a political party. However, despite being politically non-aligned, it was necessary to critically assess the current policy context when deciding what we would recommend to an incoming government.) Section 3 lays out the overarching and more specific objectives for the body of policy proposals explicated in some detail in Section 4. We have grouped our policy recommendations into three main subjects: Sociocultural, Economic and Political/Legal. We conclude in Section 5 with a restatement of the need for change, and the broad brushstrokes of our approach.

### *The State of the Nation*

What stands out from *Fractured Families* is the pressures facing most if not all of Britain's families and the inherent fragility and lack of resilience which characterises so many of them, especially those in the lowest income groups in our society. The body of evidence we drew together on the causes, effects and extent of family breakdown overwhelming points towards the need to build stronger families. We adopted an inclusive use of the term 'family breakdown' which can be summed up in three key words: dissolution, dysfunction and 'dad-lessness'. Our

interest is not narrowly restricted to what happens when parents separate or divorce because a) abuse, neglect or insufficient nurture, creates a cycle of psychological distress in which 'damaged' individuals go on to create more dysfunctional families and b) solo parenthood (usually solo motherhood) is a growing family type in this country and 15% of all babies are born without a resident biological father (Kiernan & Smith 2003). *Fractured Families* also emphasised the complexity of the relationships between various factors implicated in and affected by family breakdown. We stressed the strength of the correlations between family breakdown and crime, educational failure, economic dependency, debt and addiction but avoided making simple statements of cause and effect. The systemic nature of these social problems, where cause and effect interact, is the very reason why any comprehensive treatment of social justice has to thoroughly consider the role of family breakdown.

It cannot just be treated as a result of poverty or mentioned in passing then hastily moved on from because of its controversial implications.<sup>2</sup> The lack of commitment and informality of many contemporary relationships which result in the procreation of children 'creates challenging issues for families and public policy' (Mansfield 2005) Easily dismissing the importance of family structure (whether couples are married or resolutely committed to each other or not) in order to

Our polling (YouGov Survey for SJPG April - May 2007) indicated that 75% of people expressing an opinion agreed that family breakdown isn't just a private matter. Since children brought up by married parents have a lower chance of getting involved in crime, drugs and other problems later in life supporting marriage benefits us all.

emphasise instead family process (the quality of relationships) ignores the compelling statistical evidence we presented in *Fractured Families*. We established that the durability of a family unit, is intimately bound up with the quality of relationships between the adults, as well as with the level of commitment between them.

A relatively small minority of cohabitations may be as committed as the majority of marriages but an analysis of Millennium Cohort Study showed *substantial* differences in family stability between married and unmarried couples in the early years of parenthood, even after discounting socio-economic factors such as age, income, education and race. A government which wants to prevent family breakdown cannot ignore these statistical differences any longer, but must do all it can to deal honestly with this issue. Marriage is good for society. Among other benefits, it stabilises relationships, places fatherhood on a far more secure footing and promotes the formation of more extensive and reliable kinship networks. Nowhere in our recommendations do we suggest that people should be coerced into marrying or staying together if profoundly unhappy. However, research indicates that although aspirations are

2 As other recent offerings on the subject of social justice (such as Pearce & Paxton 2005) seem to have done.



high for marriage,<sup>3</sup> and married couples prize their relationships, there is a pervasive sense that society does not place a high enough value on or recognise the benefits of marriage (Sutton et al 2003). That lack of awareness is something that can be partially affected by policy (Burstein 2007), as can the amount of public money available to support adult relationships.

### *Dysfunctional families and breaking the cycle – the importance of the under 3s*

This consultation process has made us very keenly aware of the marked prevalence of psychosocial problems in the UK today throughout all income groups, although they increase significantly with disadvantage. If the psychological and

social needs of adults are not met, this can have very serious implications for their ability to form durable, mutually supportive relationships and to provide their children with love, attention and boundaries. Psychosocial problems which often stem from an adult's own infancy, influence and cause relationship difficulties which can, in turn, exacerbate them.

We considered the findings of research carried out by the Joseph Rowntree Foundation (Cater & Coleman 2006) of *planned* teenage pregnancy in areas of high poverty to be particularly poignant. This study showed that for many young mothers, choosing to become pregnant was perceived to 'correct' their

deprived childhoods and alter their lives for the better. Girls in the study reported 'desperately wanting a baby' from as young as 9. Their perceived lack of educational and career opportunities made the decision to start a family very young appear rational to them and many of the young people in the study felt their own lives had been improved by having a baby. However if many babies are being conceived by young parents partly to fill the emotional voids in their own history, some will be able to be very loving parents but others will struggle to meet their children's needs for nurture. Ironically, this research indicates that those least well prepared for parenthood by their own lost childhoods could be those most likely to start a family early and repeat a negative intergenerational cycle.

As a group we were particularly struck by the importance of the very early years in a child's life. Research and the testimony of various organisations indicated how susceptible the infant (0-3 year old) brain is to its environment – for good or ill. The emotional brain<sup>4</sup> is largely created in the first 18 months of life, its auditory map is formed even earlier, by 12 months and synapse formation in the visual cortex peaks at 3 months and has finished by age 2. What happens in the early years, in terms of the quality of attachment to a primary carer, and the level of stimula-



The importance of the under-threes

<sup>3</sup> When MORI asked 805 adults which lifestyle they would most prefer the sample showed overwhelmingly that they would choose marriage over cohabitation (only 4% chose being unmarried with a partner and children, while 68% chose being married and with children) (MORI 1999).

<sup>4</sup> See Hosking and Walsh 2005.

tion, nurture and empathy an infant receives, ‘permanently moulds the individual’s capacity to enter into all later emotional relationships’ (Schoore 2000).

The problem (which our policy recommendations need to address) is that the intergenerational prevalence of profound psychosocial problems augurs very badly for a significant minority of infants, whose parents are unable to provide the responsiveness and empathy which will engender the same behaviour in

their children. The results of this lack become apparent in the violent, aggressive and otherwise dysfunctional behaviour of older children. They will then grow up to become parents who find it very hard to a) raise their own children any differently and b) take advantage of services (such as parenting classes) intended to remedy problems like antisocial behaviour. Without dealing with the root causes of psychosocial problems in general and mental health difficulties in particular, interventions to help parents relate both to their children (and to each other) will be severely hampered in their effectiveness. The policy recommendations we make in our sub-section on coordinated wellbeing are intended to break the stalemate on this situation, focusing resources at a time when life chances could be radically altered.

“I had a really, really bad childhood - I was in care and my parents aren’t very good parents so I just thought a baby would give me that stability and also give me something that would love me unconditionally - never thought it would leave me and - ‘cos it’d be mine - nobody could take it away ... I was the only kid at the age of 9, planning to have a baby ...”

“It was very confusing because my mum and dad split up when I was three-and-a-half, so I had the heartbreak from there and that screwed me up a bit - and that’s how I became with J [father of baby] - ‘cos I was so screwed up, I didn’t know where I was going, really.”

Respondents in JRF study

### *Relationship education and support to prevent breakdown*

Increasing geographical mobility has meant that fewer people now live close enough to extended family to access traditional sources of immediate wisdom and support. Voluntary sector providers described to us how many parents and partners experience a sense of psychological isolation, all too aware of the shortcomings in their relational skills, but unaware of how improvements might be made to prevent future family breakdown. Further anecdotal evidence we received suggested that most people struggle with the concept of seeking advice on how to manage relationships at home, considering it is only for those with problems. 75% of all relationship support involves the treatment of problems, such as counselling through providers like Relate, rather than their prevention.

### *Particular difficulties facing disabled families*

Disability is far more prevalent and far-reaching than many people realise and particularly affects the lower-income population. A quarter of all children living in poverty have a disabled parent, and over half of all families with disabled children live in or at the margins of poverty.<sup>5</sup> Disability prevents significant sections of the population from working and engaging as fully as they might in society. Although the need to promote early intervention is critical for families, it can be avoided by local authorities as the longer they are not involved, the fewer costs they incur.

Families with dependent and disabled children face particular social exclusion challenges and relationships within them are subject to enormous strain and are therefore more susceptible to breakdown. Evidence collected also suggests a correlation between relationship difficulties and the stress encountered in securing the extra care and support required to deal with the disability.

### *Role of the tax and benefits system in exacerbating family breakdown*

*Fractured Families* described how, for the most disadvantaged 20% of society, with whom this report is primarily concerned, the current tax and benefits sys-

One social worker from inner city Glasgow told us that

“it is almost deviant to be in a two parent relationship yet this is not about a lack of resources, it’s about an attitude strongly influenced by the fact that the current welfare system rewards solo living. Single mothers may be able to cope financially and emotionally with state support in the early years of their children’s lives but in the adolescent years of these children’s lives, the lack of a dad and a good male role model becomes most pronounced. The mother might bring in a father-substitute but this is almost always nothing other than second best.”

In a career spanning 27 years, none of the children in local authority care she worked with had come from a married couple family

tem discourages openly ‘living together as husband and wife’ and this is surely affecting partnership formation.<sup>6</sup> Currently there is something of a ‘marriage gap’ in British society. Better educated, financially secure people are disproportionately more likely to get married and have their children within a stable committed relationship (usually marriage) than less educated, poorer people (Ermisch & Murphy 2005). We took evidence from many people working with people

entrenched in the most persistent poverty who particularly noted the levels and effects of fatherlessness within this population, where it is so easy for a single mother to get support, concern and benefits.

<sup>5</sup> *Fractured Families* p105.

<sup>6</sup> pp89-92.

Research backs up their assessment that social services and health visitors did not appear to have the will to engage with young fathers, and aspirations of young men to be better fathers than they have had themselves are certainly not encouraged (Speak et al 1997). The near collapse of marriage in such communities has almost completely eroded its function as a meaningful and beneficial life script (Hymowitz 2006), especially for men. Early fatherhood does not draw disadvantaged young men into dependable and responsible adulthood. A lack of purpose continues the cycle of worklessness, addiction and crime. Instead there appears to be an easy dependency on the state which people will not willingly give up. This is an environment where young women routinely express the attitude that 'everyone else is a single parent anyway, so what's the big deal if I become one.' However, as the boxed quote from one social worker indicates, the gap left by an absent father yawns more, not less, widely with time.

### *Lack of choice in childcare*

Getting lone parents and other benefit-dependent adults into work is the best route out of poverty, therefore a key part of the strategy to end child poverty. However, where children are involved, work is problematised by the need for 'high-quality affordable childcare'. This phrase is an oxymoron for most parents, working or otherwise, without significant government subsidies. The current cost of living (eg. the high tax burden on families and high housing and childcare costs) make it very difficult either for one parent to stay at home or for parents to manage child-rearing responsibilities where both work.

The British Social Attitudes Survey 23rd Report (2007) concludes that more than eight out of 10 women and men working full time would like to spend more time with their family, up from under three-quarters in 1989. The survey finds that full and part-time employees, men and women alike, particularly struggle in combining their job with family responsibilities. Although working hours have fallen slightly for men, an increase in hours worked by women means that, overall, the hours being worked in two-earner households have risen. At the same time, the pressures of work appear to be increasing, with both men and women expected to work harder.

Many of the organisations and individuals who gave evidence to the Commission noted this 'time bind' (which affects families across the socioeconomic spectrum<sup>7</sup>) but considered that the current government places far greater emphasis on the value of paid work outside the home and far less on the value of care provided by at-home parents. Yet a recent EOC survey of 1,200 fathers (whose children were aged between three and 15 months) found that almost eight in ten working dads said they would like to stay at home and look after their baby.<sup>8</sup>

7 La Valle et al 2002 emphasise how many low-income families adopt shift-parenting strategies to manage dual-earner work and childcare, decreasing significantly the amount of time couples can spend together.

8 Reported in the Independent, 16 June 2005 '80% of dads would rather stay at home and raise children'.

### *Difficulties of post-separation parenting*

The number of divorces in the UK doubled between 1960 and 1969 and doubled again between 1969 and 1972, following the 1969 Divorce Reform Act. In 2005 the figure stood at 141,750 for England & Wales.<sup>9</sup> Current estimates suggest that 28% of all children will experience parental divorce by the time they are aged 16. As *Fractured Families* made clear however, of even greater concern is the markedly more unstable nature of cohabitation and the growing tendency for parents not to live together at all. The Millenium Cohort Study indicates



The Family Breakdown Working Group invited many organisations to give evidence for the *Fractured Families* report.

that 32% of couples who were either 'cohabiting' or 'closely involved' but not living at the same address, split up before their child's third birthday compared to less than 6% of married couples (Benson 2006). Over 80% of children live exclusively or mainly with their mother and whilst only one in 10 parents use the law to sort out contact arrangements, the overwhelming majority of applicants for contact with children post-separation (between 75% and 86%) are fathers.

The parent with care is often unhappy with the level and reliability of maintenance payments from the non-resident parent, whilst the latter often wishes to take issue with the level and reliability of contact with the child(ren). Sometimes the non-resident parent is expected to pay a high level of maintenance but is allowed what they deem to be insufficient contact with the child(ren). Alternatively the level of maintenance might take no notice of the not insignificant costs whilst child(ren) are living with them. We took evidence from many fathers and fathers' organisations (and key organisations campaigning against domestic violence) who highlighted what they considered to be significant deficiencies in current law and provision.

### *Political and legal issues concerning the family*

Our interim report described how political discussion about family breakdown is highly charged. The current government's approach will be described more fully in the next chapter but it is sufficient to say here that the last forty years have seen sweeping demographic changes which have profoundly affected the whole of our society, yet there is no significant debate concerning the causes, effects and likely remedies of family breakdown. Its treatment by social policy is especially problematic. This is acknowledged by commentators saying 'Family research and policy work reflect a range of political, moral and academic positions and as such are often hotly contested. Thus the potential to debate and develop evidence-informed policies could be difficult' (McKie & Cunningham-Burley 2005).

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9 ONS

*Fractured Families* suggested that in this area, perhaps more than in any other, politicians, policy-makers and academics *inter alia*, are aware of their own frailty.<sup>10</sup> Personal difficulties in sustaining committed relationships or close proximity to family breakdown in the lives of family, friends and colleagues, have, we feel, clouded policy considerations for too long. A robust and ongoing debate on the roots and remedies of family breakdown has to take place and be driven by the evidence, not personal experience.

Finally, over the period of the policy group's deliberations, the Law Commission was grappling with the challenges of whether or not to recommend changes in the law to alleviate financial hardship suffered by cohabitants, or their children, on the termination of their relationship by separation or death. We also received submissions from individuals and organisations who considered that the current divorce laws are contributing to the high rate of divorce in the UK. As a result the working group considered whether or not there were problems with the current laws governing intimate relationships.

Policy recommendations to address all of the above, and other related issues, will be outlined after brief treatment is given to the cause of family breakdown and the current policy context.



The couple relationship is at the heart of the issue of fractured families

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<sup>10</sup> p9.

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## Section 2

# Causes of family breakdown and the approach of current policy

### *Introduction*

The last section briefly described various facets of the problems of family breakdown which have been either presented as evidence to the working group or described in the policy and academic literature. In terms of the roots of these problems, *Fractured Families* carefully described many of the individual, couple and family factors as well as social network and environmental factors, life events, and social policies and trends. Many of these will be touched upon again in this section although the role of current (and recent) social policy will receive particular attention when looking at the three main subject areas in turn: the sociocultural, economic and political/legal.

### *Sociocultural aspects of family breakdown*

#### *Insufficient Services to tackle our growing mental health problems*

The high and complex prevalence of psychosocial (including mental health) problems in the population has already been described. Policy in some areas

has moved in the right direction with, for example, aspects of the Children's Fund and Extended Schools, but many submissions contended that too few resources are targeted at intervention in the early

“We need a focus on the early years but we don't want to write off the current generation”

Geethika Jayatilaka, Deputy Chief Executive, 4Children

years. We cannot ignore current problems but targeting significant resources on young people in order to reduce anti-social behaviour is far less effective (and efficient in financial terms) than tackling latent problems in the under 3s. The current approach to early years intervention also appears to be focused on crime reduction, rather than on profoundly improving life chances.



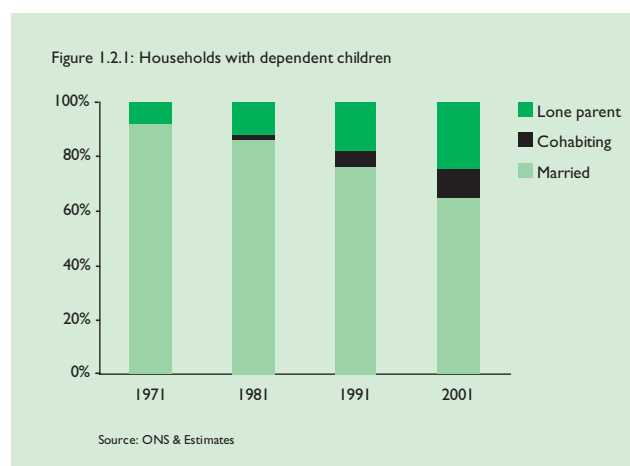
Lord Laming's 2003 report stated that child protection cannot be separated from policies to improve the next generation's lives as a whole. Implicit in this is the need for interagency cooperation which goes beyond the realm of child protection. However although the need to cooperate is widely recognised and valued, in practice only the police and social workers are doing any significant amount of 'hands on' joint work.

Submissions reported a failure to select appropriate staff for caring roles and to train them to properly understand such roles. Managers and supervisors are not routinely selected for their interpersonal skills, and those working in emotionally demanding jobs, such as social work, reported a lack of understanding and empathy. The funding of professionals eg. health visitors is being eroded by budget cuts. Many working in statutory services dealing with families and children feel overwhelmed by bureaucracy, which undermines the vocational nature of these caring professions.

### *The lack of relationship support*

In 1998, the government consultation paper *Supporting Families* (Home Office 1998) proposed a range of sensible measures to strengthen marriages and families. These included wider roles for registrars in the provision of marriage preparation and information; development of the Surestart scheme to support parents in low income communities and formation of the National Family and Parenting Institute (NFPI, now renamed FPI). In addition, the government expanded provision of parenting programmes, through a DfES parenting fund (currently around £13m annually) and commissioned a wide-ranging review of programme effectiveness in improving parent-child and child outcomes (Moran et al 2004).

However, nine years later, very little government policy is directly preventative of family breakdown and the rise in lone parent family formation has barely abated (see graph). Very few civil registrars signpost couples towards local marriage preparation courses. Some who have been approached by local providers even appear reluctant. At best, registrar provision of information about local courses and their potential benefits is limited and patchy. The Surestart initiative has developed into a universal programme of Children's Centres and although the Government might argue that this high profile initiative is a preventative scheme, neither Surestart nor Children's Centres include or propose any direct intervention aimed at reducing family breakdown between parents. The Government's focus is almost entirely on remedial counselling and parenting education and support is aimed at those with marked problems rather than at mainstream families who could benefit from learning practical skills.



This Government started modestly well in terms of its programme of relationship support. Following recommendations in the 1999 Hart Report, the Lord Chancellor's Marriage and Relationship Support fund distributed £5m annually to family support charities (see Hart 1999). In 2002, the Lord Chancellor's AGMARS group highlighted and reinforced the need for a greater emphasis on preventative relationship education accessible at key life stages. The aims of both Hart and AGMARS were well supported by a solid evidence base. However government interest appears to have waned markedly with the marriage and relationship component of the £17m DfES Children and Young People Fund now under £4m per year, little of which can reasonably be described as funding preventative work. In addition, for example, Relate's funding has declined in consecutive years.

Yet family breakdown costs the taxpayer £20-24 billion each year.<sup>11</sup> Government spending on the prevention of family breakdown equates to less than 0.02% – one 5000th – of what is spent on the consequences. As one service provider whose funding had been cut told us 'When the room is flooded, it surely makes sense to invest some effort in turning off the tap.' The emphasis of this government (which is consistent with that of the previous administration) indicates a pervasive view that mainstream family breakdown is somewhat inevitable.

### *Disability*

Benefits and facilities available to people with disabilities and parents with dependent, disabled children are not easily identified, and access points are almost always in a bewildering variety of locations. Respite care is perceived by service providers in the sector to be the best protective factor against carer 'burn-out' but is not universally provided because of costs and scarcity of supply. The cheaper solution of using (and paying) close relatives and trusted friends is not a permitted alternative to state-provided short breaks. The Direct Payment system has been shown to assist many families but it is similarly at the discretion of local authorities, heavily controlled by them and not always implemented when it would be appropriate but there are insufficient funds. Bottlenecks exist in the system, such as the need to access local authority services through a social worker.

The costs of caring for a disabled child can be significantly greater than for an able-bodied child, making it harder to make ends meet without both parents working. However childcare is much harder to find, much more expensive and places are not expanding at a significant rate. All of these additional stressors place significant strain on the relationships within families coping with disability. Innovative and effective policy strategies have been developed to help alleviate many of these disadvantages and, in many cases, requirements

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<sup>11</sup> *Fractured Families* pp67-68.

have been placed on local authorities to implement them. However it is this implementation at the local authority level which tends to be problematic whether due to a lack of resources or to the need to prioritise areas which have a higher salience, such as child protection.

## *Economic aspects of family breakdown*

### *Disincentives to form committed relationships in the benefits system*

Any consideration of the economics of family breakdown has to begin with a recognition of the significant challenges to family life which people on low and severely low incomes face on a daily basis. In *Fractured Families* we quoted respected scholar, Theodora Ooms, who stated

*'Low-income families, especially those who reside in poverty neighbourhoods, are daily exposed to a variety of experiences that place extraordinary stress on the couple and family relationships. In addition to the constant stress of making ends meet financially, and of working in unstable, low paying jobs, they have the frustrations of living in sub-standard housing in poorly serviced neighbourhoods, without adequate transportation, and they and their children are continually in fear of crime and violence. Members of their immediate or extended families may be struggling with depression, alcoholism or drug abuse, HIV/AIDS, or may be in and out of jail or some combination of those problems. Domestic violence is more prevalent in low-income households. Service providers who work with these couples note how often these accumulated stresses spill over into home, and anger and frustration too often poison their relationships between parents and children.'* (Ooms 2002)



Mental health impacts  
relationships

However, over the lifetime of this working group we have been concerned by the extent to which it appears that the current benefits system incentivises lone parenthood and acts as a driver towards family breakdown. It is currently the case that the tax system is based on individual assessment, but the benefits/tax credit system is based on joint or family assessment. This combination acts against interdependence between couples and encourages solo living. Basing both of these systems on the same assessment criteria needs to be investigated as a long term task for future deliberation by those with the appropriate expertise.

*Fractured Families* laid bare the established benefits of stable, committed and healthy adult relationships for children, adults and the wider society. However, rather than it being supported, couples who marry are penalised by the current tax credits system. The Institute for Fiscal Studies has shown that, taken as a whole, these welfare benefits penalise the vast majority of intact couples because

they get more money from the Government if they separate, than if they live openly together.<sup>12</sup> Towards the lower end of the income scale, where families may be struggling to make ends meet, there is an incentive to act fraudulently by pretending to be a lone parent when cohabitation is actually taking place, and a definite disincentive to marry and make a co-residential arrangement unambiguous. (The IFS estimate that the Government is paying tax credits and benefits to 200,000 more lone parents than live in the UK). Comparative European research indicates that welfare benefits can drive up lone parent family formation and encourage solo living (Gonzalez 2006). This discourages fathers from living with their children and reduces the incentive to try to make a relationship work, when it may be only temporarily undergoing some strain.

*Trends in work and childcare which potentially weaken family ties*

The knowledge that ‘the quality of childcare has lifelong consequences for mental health,’ (Sunderland 2006) is not taken into sufficient consideration when defining policies to support and nurture the population. Economic priorities such as the drive to encourage single parents to work at ever earlier stages of children’s lives take precedence over the knowledge that the first three years of a child’s life are crucial for healthy neurological development and therefore psychological stability. As the later report from the Economic Dependency working group makes clear, there have to be clear exit routes out of welfare dependency, which are obviously bound up with the economic self-sufficiency that comes from working (Economic dependency and worklessness paper, section 2.4.2: Work Expectations). However, we are also concerned with the more pervasive current bias against family and other types of informal care and towards state-provided childcare.

Close relatives, such as grandparents, are legally able to look after children but not to receive childcare tax credit. The Government appears to be nurturing a dependence on state-sector childcare provision which appears to be at odds with women’s preference for informal care (and recent reports suggest low take-up of existing places despite the fact that the birthrate has risen to its highest level since 1992, with 1.79 children per woman<sup>13</sup>).

It is also undermining the economic viability of private, voluntary and independent childcare provision. Representatives of these nurseries described the pressures on them generated by a large increase in state provision of childcare places often introduced without a rigorous audit of local demand. Recent reports indicate that supply may greatly exceed that demand. State provision is subsidized so existing local nurseries, obliged to charge full costs for childcare, are placed at such a disadvantage that their rolls often fall below sustainable limits and they are forced to close.

12 IFS (2006), ‘Government paying tax credits and benefits to 200,000 more lone parents than live in the UK’, Press Release 12 March.

13 *Times*, April 30, 2007, ‘Nurseries feel pinch as mothers stay home’.

*Additional stress on post-separation families due to current service deficiencies*

The financial and legal consequences of our high rates of family breakdown make it untenable for the state to neglect to perform the preventative role we advocate throughout this report. However, issues arising out of separation cannot be neglected either, partly because they contribute to the breakdown of subsequent family units. The CSA is almost universally criticised but recent UK research finds strong evidence that the large child support liabilities, arising from the 1992 rules, significantly reduced the risk of separation (Walker & Zhu 2006). Indeed, the results are big enough to explain all of the approximately 15% fall in divorce rate for parents with dependent children that has occurred since 1992. However the researchers believe this effect would have been much larger if the CSA had been more effective at achieving payment compliance from non-resident parents, usually fathers and, despite its best efforts, many children still do not receive maintenance payments from non-resident parents.

The restyled CSA, the Child Maintenance and Enforcement Commission will still focus most attention on the transfer of cash between parents. Although the recent review by David Henshaw suggested that the C-MEC was uniquely placed to provide separating parents with information eg about benefits, nowhere in the related White Paper was there explicit reference to the need to signpost parents towards services which might help them to avoid the breakdown of subsequent partnering relationships. Similarly, qualitative research indicates that many people who have initiated family breakdown would have found it helpful to have been warned about the harsh realities of post-separation/divorce family life (Walker 2001, Walker et al 2004).

Enforcement of child support is still not sufficiently robust and there is still not an explicitly stated principle that everyone who is a parent of a child will be unable to walk away from those responsibilities without paying ongoing costs. The White Paper allows for certain exemptions (of students and those on very low incomes indeed) but these are questionable on the grounds that they send the signal that some parents will not be held liable.

Separated partners are often struggling to come to amicable arrangements for the care of children and the division of assets but there is insufficient support to help people navigate the legal maze and they are often forced to seek help in a fragmented system, offering services that are not coordinated. This can lead to considerable additional stress and cost to the state. The present system for dealing with conflict resolution is unnecessarily over-reliant on the court service and the legal profession and new approaches are needed to implement alternative dispute resolution services, such as conciliation and mediation. This is especially important in the light of forthcoming changes to the legal aid system which could greatly reduce the availability of legal services for low income people.

## *Political and Legal aspects of family breakdown*

### *Legal issues surrounding marriage, divorce and cohabitation*

In addition to the legal issues just mentioned, the Commission received a lot of evidence regarding changes to the law surrounding adult intimate relationships. In particular there were requests for legal reforms to make divorce harder in order to combat its continuing high rates in the UK. After our interim report, *Fractured Families*, was published, we received submissions from learned and well-regarded figures pointing out that nowhere had we called for divorce reform. In the relevant section of our proposals we discuss this issue further.



At the inception of the Commission we were also asked to consider the legal position of cohabitants and their children who form a large percentage of families in the UK today. This family form must therefore be given proportional recognition within the formation of an integrated set of policies to prevent and mitigate the effects of family breakdown (not least because of its significant instability). Cohabitation raises several important, complex and wide ranging issues regarding the potential effects of the equalisation of statutory rights with married couples and civil partners, such as the further devaluation of the institution of marriage, the loss of the right to choose *not* to enter into a legally binding relationship, changes in the distribution of assets etc.

### *The political status quo and its effectiveness at preventing family breakdown*

Our interim report talked at some length about the evolution, since 1997, from a marriage-centred family policy towards a child-centred policy,<sup>14</sup> and the rather evasive use of language which characterises public discussion on the family. Official discourse (and government forms) increasingly avoids using terms specifically associated with marriage, such as ‘married’, ‘marital status’, ‘husband’ or ‘wife’ and instead prefers supposedly neutral terms such as ‘couple’ or ‘partner’. However this ignores not only the differences in outcomes between marriage and cohabitation but also the enduring aspirations of adults and young people to marry mentioned earlier.

Relationships between adults have to be included as a key concern of family policy rather than of peripheral interest as is currently the case. This should not push concerns about children’s welfare off the agenda, but children’s welfare is tightly bound up with the quality of their parents’ relationships and they are, often, the most vulnerable when families break down. As Penny Mansfield says, ‘Whilst there is ample evidence that the quality of parental relationships is a critical social factor for children, politicians, policy makers and practitioners are wary of adult relationships. Current policy mainly addresses families as

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<sup>14</sup> pp92-95.



individuals, ignoring the defining feature of adult life, for good and ill, inter-dependence' (Mansfield 2004). Child-centred policies which do not adequately recognise this, will not best serve the children they purport to serve, the wider family, or society itself. It was for this reason that we aimed to construct truly family-centred policies which aimed to deliver greater stability and more robust relationships.

However, in so doing, we have been very concerned to avoid current policy's tendency to ignore the dictum that 'a sound polity has to be built around respect for the autonomy and privacy of the private realm' (Dench 2003). In order to build stronger families, which will be less prone to dissolution, dysfunction and dad-lessness, in many ways we need to give responsibility back to the families rather than impose 'good practice' from the centre. We also want to acknowledge from the outset that many families and parents do a good job, and that our proposals aim to build on their work, not to supplant it. We are certainly not recommending greater state intervention in the family, and would argue the need to 'roll back' that frontier.



Separation is a reality of our times.

## Conclusion

Before further outlining the objectives of our policies, we would like to restate the defining position of *Fractured Families*, which is that some family types, on average, result in better outcomes for children and adults than others. We reject the comfortable mantra that policy can or should be wholly morally neutral on

the grounds that this is unworkable in practice. In *Fractured Families*, (p21) we quoted Geoff Mulgan who said "we need to rescue back from the right the insight that politics and policy are fundamentally moral activities and that they are most likely to succeed when they both resonate with and help to shape the moral metaphors through which the public see the world." The policy-making community (which includes politicians, policy-makers and academics) has been markedly reluctant to grasp the nettle of family breakdown by being clear about the benefits of marriage and committed relationships, and the merits of supporting and encouraging them. Having made that charge, it was therefore incumbent on us to avoid the same error.

“This government has been characterised by a reluctance to pronounce on the superiority of any form of personal relationships..... However, at times this reluctance to adjudicate between different types of relationship has threatened to collapse and the result has been dissent in government and incoherence in policy”

Durham 2001



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## Section 3

# Objectives of Policy Recommendations



Protecting families during times  
of vulnerability

According to Professor Brenda Almond, ‘the threat to human communities and their continuity represented by the decline and fragmentation of the family poses the greatest long-term challenge facing Western countries.’ (Almond 2006:21) As such, and as we have already stated, our headline policy aim is to build stronger families. Any state support should be provided in a way that encourages family networks to be self-supporting and well-rooted in the community and further strengthens the many families which are under pressure, but currently working well. Underneath this overarching theme sit the following objectives:

*Better facilitate family stability and minimise family breakdown by encouraging healthy family relationships*

- Our high levels of family breakdown across the socioeconomic spectrum indicate that many people are struggling to sustain healthy relationships. Pressures associated with poverty and with the ‘time famine’ in which many relationships are played out, exacerbate but do not exclusively cause these relational problems.
- Increasing numbers of parents are uncertain as to how best to raise their children, where the limits of their authority lie and how to set and maintain boundaries in a social context that seems to be constantly shifting.
- A tiny percentage of government money is spent on the prevention of family breakdown in comparison with the cost it incurs on society and with remedial provision
- Service provision is geared towards helping people to pick up the pieces of their lives post-separation, rather than doing all that is possible to prevent breakdown from happening in the first place
- The new-styled Child Maintenance and Enforcement Commission continues to emphasise cash transfers between parents and is missing valuable opportunities to access people who are most likely to have serial partnerships and in many cases, more children, whose support may also become an issue.

*Build relational competence*

- Many low-income communities have seen a collapse in marriage and committed relationships to the extent that many couples today (disproportionately more than in mainstream society) have no role model of permanence or exclusivity.
- These communities are characterised by high expectations and low capacities<sup>15</sup> – people want their partners to meet all their emotional needs but they struggle themselves to manage relationships and offer unconditional love, especially when it is not something they have experienced. Moreover, domestic violence, crime, poverty and addiction corrode the social capital of these neighbourhoods.
- Prisoners are especially disadvantaged in this area and yet a respected longitudinal study (Laub and Sampson 2003) of juvenile delinquents showed that re-offending rates were far lower among young men who formed committed, lasting relationships upon completing their sentences.
- Breaking the cycle of disadvantage is essential when it is considered that 25% of young offenders are already fathers and 45% of prisoners lose contact with their families whilst on the inside
- We cannot do that without making tackling the high prevalence of psychosocial (and mental health) problems

*Focus on the first three years of children's lives and assist families during other periods of vulnerability (which may be prolonged eg. when disability is a factor)*

- The nurture received by a child in the first 36 months can have lifelong consequences for mental health. Parents from dysfunctional families often struggle to provide this, perpetuating disadvantage.
- Family relationships suffer because of the strain placed upon them fighting for appropriate care, help and support for a member (or multiple members) of a family with a disability
- Wide discrepancies in access to disability support services exist between and within local authorities.
- Unequal access to services, perpetuates and further entrenches existing social exclusion

*Maximise community-level support and minimise dependence on the state*

- Extended family relationships are breaking down and the state provides little or no support and encouragement for them to flourish
- For example, childcare arrangements are biased away from informal care from close relatives and towards formal state provision. Family carers are undervalued in our society and receive a disproportionately low level of financial support given the many hours of work that they do

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15 See papers from the Fragile Families Study at <http://crrw.princeton.edu/fragilefamilies/index.htm>

- Parenting and relationship support could be far more grounded in local communities, with voluntary and community sector providers making a much greater contribution than they do at present, thus shifting away the current bias towards professional service provision where appropriate

*Send the message that every family matters, an essential complement to the more usual slogan that 'every child matters'*

- The politically 'safe' emphasis on the parent-child relationship is ignoring a crucial dimension of child well-being, as identified by the recent UNICEF (2005) report. British children score lowest in terms of the quality of family relationships due to the high proportion of single parent and step families.
- Usually headed by mothers, these family forms are concentrated in financially disadvantaged communities so children are subject to multiple disadvantage. Although routes into lone parenthood vary greatly, such mothers are often less established in their own identities, less educated, poorer and, most importantly, are struggling to fill the shoes of absent fathers.
- Too many fathers are missing out on an essential facet of adulthood, the need to be actively engaged in raising the next generation
- Focusing exclusively on poverty and neglecting the couple relationship at the heart of the family will never shift these statistics.

*Create a positive policy bias in support of marriage*

- Marriage has been downgraded in official discourse. Neither the terminology that is currently used nor the way that statistics are increasingly being collected, differentiate between different types of couples, despite the marked discrepancies in the stability of married and cohabiting couples
- Individual assessment in the tax system tilts it against marriage and interdependency and the tax credits system disincentivises adults from openly living together because of the premiums it pays to lone parents (with the result that 60% of children in poverty are in couple families)



Supporting marriage.

This report includes measures intended to prevent family breakdown and those involving intervention to alleviate the effects of it (whether this applies to personal psychosocial problems or relationship/family difficulties.) However, it is most helpful to see such measures as a continuum at both the individual and family level, anticipating or identifying difficulties early, providing appropriate support to tackle problems as early as possible and then more specialist support, where problems are severe or the family unit has broken down.

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# Section 4

## Policy Recommendations

### Sociocultural aspects of family breakdown

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#### *Chapter 1*

#### *Coordinated well-being and improving mental health*

##### *1.0 Introduction*

##### *The importance of family well-being*

Britain currently has high levels of child and adult psychological problems<sup>16</sup> and the recent UNICEF report found the well-being of children in the UK to be the lowest of the affluent countries in the world (UNICEF 2007). One in ten children have a diagnosable mental health or conduct disorder (Collishaw et al 2004, Meltzer et al 2000). Just as worryingly, bullying and self-harm, both recognised measures of children's lack of ability to cope with distress and psychological pain, are on the increase. These trends are accompanied by high levels of child abuse and neglect, youth violence and anti-social behaviour, violent crime and sexual offences as *Fractured Families* indicated.<sup>17</sup>

The YouGov poll carried out for this Policy Group (Apr-May 2007) indicated that the public understands the link between mental health problems and other social ills:

More than two thirds of those expressing an opinion agreed with the statement 'a large proportion of people who commit crimes are actually suffering from mental health problems. If we did more to address mental health we would end up cutting crime in the long run' and 77% of those expressing an opinion agreed or strongly agreed that there should be alternatives to the criminal justice system for people with mental health problems who commit crime

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16 For example we are considered to be a high-antidepressant use country and consume a high level of anxiolytic and hypnotic medication, in comparison with the rest of Europe.  
[http://ec.europa.eu/health/ph\\_projects/2001/monitoring/fp\\_monitoring\\_2001\\_frep\\_06\\_en.pdf](http://ec.europa.eu/health/ph_projects/2001/monitoring/fp_monitoring_2001_frep_06_en.pdf)  
accessed 18th May 07.

17 See sections C3 and D2 .

As many as one in three GP visits are for symptoms of depression and prescriptions for SSRIs (antidepressants) rose by 10% last year from 14.7m to 16.2m. This is in spite of NICE guidelines that antidepressants should not be used as first-line therapy for mild to moderate depression, and that patients should instead be initially offered guided self-help and psychological therapies. The chair of the Royal College of GPs said that GPs do not over-readily prescribe but 'the real story is the lack of access to services such as talking therapies and the long waiting lists for these.'<sup>18</sup>

Our ability to address the increasingly complex psychological needs of families and children is undermined by the lack of cohesive training for professionals in our public services, including social workers. Lord Laming stated that child protection cannot be separated from policies to improve the next generation's lives as a whole, implicit in which is the need for inter-agency cooperation (Laming 2003). Although the need to cooperate to formulate strategies is widely recognised and valued, in practice this is not occurring in as informed a way as it should. It has been suggested that 'only the police and social workers are doing any significant amounts of 'hands on' joint work, indicating an overemphasis on child protection as opposed to family support,' (Birchall & Hallett, 1995).

#### *The first three years*

The experience of children and particularly the quality of parenting in the first three years are now known to be important determinants of neurological

After a 10 year immersion in thousands of scientific papers in neurobiology, psychology and infant development, Dr Alan Schore (Department of Psychiatry and Biobehavioral Sciences, UCLA) concluded that the child's first relationship, [usually] the one with the mother, acts as a template [and]...permanently moulds the individual's capacity to enter into all later emotional relationships

development of children (Swain et al, 2007, Feldman, 2007) and to have lifelong consequences for mental health (Sunderland 2006). Early optimal care-giving relationships promote emotional well-being, social competence, cognitive functioning and resilience in the

face of adversity (Cicchetti & Rogosch, 1997). Parents are 'the architects of the way experience influences the unfolding of genetically pre-programmed but experience-dependant brain development.' (Goldsmith et al, 1997)

There is some evidence that long periods of childcare outside the family before a child is three can be associated with behavioural and emotional difficulties (see Chapter 5), and more consideration needs to be given to this when setting policies which will impact the level of support and nurture young children receive. Many groups we consulted (such as What about the

18 BBC Health, 15/5/07.

Children?) expressed the view that economic priorities such as the drive to encourage single parents to work at ever earlier stages of children's lives appear to have taken precedence, and access to the high quality childcare facilities which can offset many of the disadvantages of group care, is still limited.

### *Current Policy*

We welcome the Children's Fund and Extended Schools, but we consider that insufficient resources are targeted at the early years. Moreover, where prevention has been emphasised it has tended to be concerned with health and education targets rather than on those concerned with psychological well-being. Arguably too much emphasis has been placed on punitive responses to anti-social behaviour (although we welcome measures proposed in the 2006 Respect Action Plan to support parents, such as the establishment of the National Academy of Parenting Practitioners).

According to the Children's Commissioner for England, Sir Al Aynsley Green (Queens Award Lecture, Loughborough University, 23rd May 2007) these are the dimensions of nurture

- Love and care
- Physical contact, warmth & comfort
- Security and stability
- Good nutrition
- Safeguarding and protection from harm
- Play, exploration, encouragement, managed risk
- Moral boundaries, expectation and purpose in life
- Education

Policies to support families should aim to:

- Build on what is already being done by way of effective intervention in our communities;
- Pilot effectively in real world contexts before wide scale dissemination;
- Begin interventions in pregnancy or even earlier and continue thereafter;
- Be proactive and universal in order to promote the well-being of all, while identifying those with problems;
- Selectively target those with problems and provide evidence-based proactive interventions adequate to meet the needs;
- React immediately and appropriately to prevent recurrence of identified problems.

In this chapter on well-being, we emphasise the need for better access to services, very early interventions, better integrated services, appropriate training and supervision of professionals, and sufficient funding to meet these objectives. We recommend the following:

### 1.1 Promotion of the concept of the Family Services Hub

The concept of the Family Services Hub underpins many of the recommendations throughout this report. Family Services Hubs of various kinds would facilitate the proposals on well-being in this chapter, as well as providing central access points to our proposed schemes for strengthening families in Chapter 2, providing a one-stop shop for information and services for disabled families in Chapter 3, and supporting families post-separation in Chapter 6. Taken together, we are suggesting a significant enhancement of current, community-based service provision as well as a greater degree of integration of services to maximise efficiency and coordination of professionals in the interests of the nation's families. What we are recommending is that in each neighbourhood<sup>19</sup> there be a hub or 'nerve centre' of services. All of the services which we consider necessary need not be located within a single building or site in a neighbourhood, but there should be an access point to which people can go in order to be signposted onto the correct provider.

Of those expressing an opinion, three quarters of those polled (YouGov Survey for SJPG April-May 2007) agreed or strongly agreed that public money should be spent on community-based centres which parents can visit if they want advice or guidance on parenting

In highlighting that every *family* matters – as well as every child – we wish to see a significant improvement in the range, quality and accessibility of services to every family. Rather than prescribe exactly how Family Services Hubs should be set up, we propose that each local authority be required by law to provide or facilitate the full complement of community-based services which we have outlined in these chapters, but are given a high degree of autonomy in how they deliver them. Working closely with bodies like their Local Partnership Board, they will enable access to an enhanced range of services, home visiting programmes and mutual signposting, through whatever facilities are already working well. (An example of good practice in this area can be found in Nottingham where the local authority is working in conjunction with the local strategic partnership (headed by Labour MP, Graham Allen) to develop an integrated package of early interventions and programmes for children at every stage to make them ready for school, work and to become parents themselves.)

*Making the most of existing facilities*

These existing facilities include (but are not limited to) existing GP surgeries, Children's Centres, health clinics, Extended Schools, register offices, community centres and Citizens Advice Bureaux. New infrastructure could include one-stop shops for disability services, (such as mobile clinics, see Chapter 3) the Australian model of Family Relationship Centres or the Croydon model of Family Justice Centres (see Chapter 6). In practice, Children's Centres and Extended Schools are likely to feature most prominently as Family Services Hubs, as by 2010 there are

<sup>19</sup> Local authorities, working in conjunction with their Partnership Boards would be in the best place to delimit 'neighbourhoods' within their boundaries.



expected to be 3,500 Children's Centres and all schools will be obliged to offer extended services.

Local authorities would be required to ensure that a well-specified list of services be delivered, maximise the coordination of services and work with health authorities etc to provide adequate training and supervision for professionals where necessary. We would recommend that they co-locate services wherever practical, and work with the public, private and voluntary sectors to deter-

mine how to deliver those services. Child and adult mental health services, health visitors and social workers should ideally be co-located or closely linked with providers of relationship support. We therefore aim to build on the Surestart idea of centralised access to services and outreach, be much more prescriptive about the menu of services required, but much less prescriptive about the required infrastructure. The implications of this greater load on local authorities should be thoroughly thought through by an Implementation Working Party which would include appropriately senior members of the Local Government Association.

The original Commission on Social Justice stated that

“If current cuts were reversed supportive community networks could be built around midwives, health visitors and GPs; playgroups and parent-and-toddler groups; childminders and nurseries; schools and after-schools groups; parks, playgrounds and holiday schemes; youth clubs and youth organisations, children's facilities within sports centres, supermarkets and shopping centres and so on.”

Hewitt & Leach 1993:14

#### *The importance of Children's Centres and Extended Schools*

Children's Centres and primary schools should be the focus of as much parenting support as possible.<sup>20</sup> A greatly reduced emphasis on the provision of childcare in Children's Centres will release space and resources for other services for parents. (We discuss our proposals for greater choice in childcare and home care in Chapter 5.) The importance of the existing school infrastructure for supporting an enormous range of adult learning cannot be overestimated.

Example: Bromley Children's Project has been working with partner agencies for 10 years to evolve a range of services that children and parents say will make a difference. Five 'hubs' have been established which provide a good model for what we are proposing. Sixteen primary schools have become welcoming family and learning centres offering crèches and a wide range of courses, training, individual help and services for the whole family. Workers are attached to geographic clusters of schools. Because families consistently determine and monitor all provision, it continues to be appropriate, effective and well attended (3000 children and their families are directly involved each year),

<sup>20</sup> We note that the 2006 Respect Action Plan states that £20 million will be invested in piloting a new school-based outreach role - Parent School Advisers - to intervene early in supporting children and families where there are signs of problems. We would anticipate that, if pilots are successful, such figures could be essential personnel working with (and linking schools to) the Family Services Hubs.

“Mental, emotional and social health should be at the heart of schools”

Weare 2000

with clear evidence of achievement, progression and strengthened communities. Families are able to identify difficulties and access appropriate help before problems become

embedded, thus reducing demands on more expensive statutory services.

We recommend that schools be drawn into a national initiative to improve mental health in several ways:

- Pre/primary/secondary school programmes to help develop emotional intelligence eg. Roots of Empathy<sup>21</sup> (for others see Hosking & Walsh 2005).
- Other programmes can help children understand about change and loss, whether through bereavement or family breakdown. One such programme, Seasons for Growth,<sup>22</sup> has proven effective in building resilience and emotional maturity and in decreasing isolation, in children of all ages.
- Anti-bullying strategies and programmes need to take more account of the latest research and developments. Currently programmes are often target-

A survey of 11- to 16-year-olds for the NSPCC found 42% of children had been hit, punched or kicked at school and almost one in 10 had been attacked with a weapon or object

[http://www.nspcc.org.uk/whatwedo/mediacentre/mediabriefings/policy/bullying\\_wda45645.html](http://www.nspcc.org.uk/whatwedo/mediacentre/mediabriefings/policy/bullying_wda45645.html)

Childline announced a 42% increase in the number of children counselled by the charity about bullying and said this single issue now accounts for 1 in 4 calls it receives - over 31,000 in the past year.

<http://www.childline.org.uk/Bullying-biggesteverriseincalls.asp> accessed 19/5/07

ed on the victim and on ‘raising awareness’. However, it is equally important to make the whole school environment one in which people nurture each other, which requires identifying bullies as early as possible, and instituting effective intervention strategies, including referral to more specialist psychological services when necessary

(eg. programmes designed by the UK Observatory for the Promotion of Non-Violence<sup>23</sup> based at the University of Surrey).

#### *Importance of outreach*

However, we also note the importance of *outreach* emphasised by organisations like Parentline Plus and recommend that this is a priority of the hubs. Dorit Braun, Chief Executive says<sup>24</sup> ‘A huge problem for government is that

<sup>21</sup> <http://www.rootsofempathy.org>

<sup>22</sup> [www.seasonsforgrowth.co.uk](http://www.seasonsforgrowth.co.uk)

<sup>23</sup> <http://www.ukobservatory.com/index.html>

<sup>24</sup> Guardian 25th April 2007.

<sup>25</sup> Although they currently run five local hubs on a shoestring budget of £200k each per year.

generally they want people to ‘turn up’. For instance, to get Jobseeker’s Allowance you turn up at the jobcentre and go through a process that, bureaucratically and administratively, opens up other avenues. Now government is seeking to create an equivalent in parenting support, but ... although the Government is intending for Children’s Centres and schools to become key arenas there will always be parents who won’t go. We trudge streets and estates leafleting, knocking on doors. We go wherever people have to go as part of their daily life. We work with people no one else is reaching.’

#### *Cost implications*

*Since each local authority would be able to make use of existing local facilities – such as Children’s Centres, health clinics and Extended Schools – the need for new infrastructure will be minimal in some places. Costs will comprise re-location & co-location of professionals and provision of new programmes. Additional central government grants would be available when new builds are deemed necessary (see Chapter 6), for the higher anticipated numbers of health care professionals (see later) and for the roll out of cost-effective voluntary sector provision described in Chapter 2.*

*We asked the Bromley Children’s Project to estimate full running costs of one multi-agency community-based family support ‘hub’ and with their figure of £517,000,<sup>25</sup> we estimate that to spread similar hubs throughout the country would cost £86m.<sup>26</sup>*

## **1.2 Greater emphasis on supporting parents in the very early years**

Over the course of the Commission we have become aware of many organisations and programmes developed in response to research indicating the importance of the first three years of a child’s life. Before going on to describe how more health professionals could be trained to deliver these essential services, it must be said that the voluntary sector has a strong role to play. The preventative interventions of organisations like OXPIP<sup>27</sup> and PIPPIN,<sup>28</sup> whose primary aim is give babies a secure and loving start in life by providing therapeutic support for vulnerable parents, do much to promote the lifelong emotional health of infants and can transform the emotional landscape of their carers.

MacLeod and Nelson (2000) studied 56 separate programmes designed to promote family wellness and prevent abuse. They found that, to a very large extent the programmes worked, and the earlier the intervention the better. What worked best were programmes which took a positive approach to the parents and built on their pre-existing strengths. Programmes whose style was to criticise weaknesses were much less successful.

<sup>26</sup> The Surestart 2006 Cost Effectiveness report has shown how medium and larger centres use their overheads more efficiently and much of this would comprise co-location of existing services.

<sup>27</sup> [www.oxpip.org.uk](http://www.oxpip.org.uk)

<sup>28</sup> [www.pippin.org.uk](http://www.pippin.org.uk)

Both organisations directly help vulnerable parents and parents-to-be and provide training for health care and social services professionals so that they in turn will be able help (prospective and actual) parents to build strong nurturing relationships with their infants. Evaluations of their work testify to its effectiveness, and the heightened national awareness of the critical importance of early infant attachment, due in no small part to the work of such organisations, compels us to recommend that Family Services Hubs draw on their expertise.

#### *Enhanced role for health visitors*

At the present moment, important preventative resources are being eroded by both policy and budget cuts. Health visiting services in particular are being significantly reduced, insufficient numbers are being trained and the profession is becoming increasingly demoralised. The Family and Parenting

“Health visitors meet a demand that really does cross all classes and backgrounds. Problems around child development, postnatal depression, child abuse and good parenting are not confined to the poor and excluded - far from it.”

Society Guardian 23rd May 2007

Institute recently reported that health visitors were becoming an endangered species and that numbers are in ‘freefall’. Yet 76% of parents want health visitors and 83% would like home visits from health visitors (Gimson, 2007).

We recommend that funding be provided for intensive home visiting during pregnancy and infancy in order to promote and facilitate family and child health, development, resilience and mental health. Currently home visiting programmes by health visitors seem to exist in some parts of the country but not others. We welcome the recent announcement that the Nurse-Family Partnership of Professor David Olds is being piloted in the UK (described in more detail below) but share the concern of organisations like the Family and Parenting Institute<sup>29</sup> that such services are ‘only for a tiny proportion of the population ... a strong universal offer is critical for the majority of families who also need support and parenting help from health visitors.’ An emphasis on the very early years of a child’s life cannot be confined to those children who are at most risk of social exclusion and turning to criminality. The future mental health of a much higher percentage of the population would be distinctly improved by focusing resources and attention here, and the role of health visitor needs to be protected and developed with increased numbers, direct entry and appropriate training.

A preventative and supportive universal home visit service has merit for its own sake. Such a programme will also allow early identification of those needing more intensive help, with improved consequences for family well-being later on. Whilst

29 See Guardian 16th May 07 ‘Unborn babies targeted in crackdown on criminality’.

wishing to learn from the results of the pilots, and not to pre-empt the findings, we would provisionally but strongly recommend that the Nurse-Family Partnership approach be adopted as a matter of priority throughout the country. This programme trains nurses to act effectively as a life coach for the parents, creating a high level of trust between nurse and family. Far from feeling 'nannied' or undermined in their role, mothers report a strong bond with their nurses, who provide them with a level of support which many have never experienced in their lives before.



Ensuring every child is well cared for

Other models exist, such as the Sunderland Infant Programme (see Hosking & Walsh 2005:50), which points to a new and very important role for health visitors, as infant mental health workers. A health visitor working on the programme said their practice has changed 'dramatically', with a deeper understanding of the importance of the emotional aspects of health and secure attachment and the detrimental effects of insecure attachments. Approaches should be theory-based, using evidence-based methods at every stage, be appropriate in intensity of intervention during pregnancy and the early years, be resourced appropriately (e.g. caseloads no bigger than 25), with appropriate staff recruitment, training and supervision, and integrated with all other services.

### Evaluation of the Nurse-Family Partnership

Compared to control group-counterparts, 15 year-old children of low-income, unmarried mothers who had been in the programme thirteen years earlier, had 56% fewer emergency room visits where injuries were detected; a 79% reduction in child maltreatment; 56% fewer arrests & 81% fewer convictions among adolescents; 40% lower cigarette consumption; 56% lower behavioural problems due to drug and alcohol consumption and 63% fewer sexual partners (Olds, 1997).

In the US they have found that for every dollar invested at the pre-kindergarten stage, there is at least a seven fold return. A more recent RAND report (Karoly et al 2005) found that well-designed programs for disadvantaged children age 4 and younger can produce economic benefits ranging from \$ 1.26 to \$ 17 for each \$ 1 spent on the programs.

Commenting on this statistic Presidential candidate Hillary Clinton said 'We consistently fail to invest in what will save us money.'

Guardian 23rd May 2007

### Cost Implications

*According to the FPI (Gimson 2007), there are 9,000 health visitors on Band 6-7 pay scales ranging from £22 to £37k. The supply of health visitors is falling at 10% per year. Taking £30k as the average cost of recruitment and one year training, a 50% increase in health visitors would initially cost £135m. There would also be some savings due to staff replacement and substantial longer-term savings from the preventative nature of health visitor work.*

*Although this form of intensive support is expensive it produces savings in the form of reduced welfare and criminal justice expenditures and increased tax revenues. These exceed its costs by a factor of 4 over the life of the child according to an economic evaluation by the RAND Corporation (Greenwood et al, 1996), which found that the original investment is returned well before the child's 4th birthday.*

### 1.3 Enhanced support and training for professionals

We recommend a number of system changes to the child and family workforce to enhance the effectiveness of their work. These include direct access to mental health professionals for young children, tiered access to family services, (ranging from universal frontline services to those intended to deal with complex and chronic problems) common inter-agency training and application of a coherent theoretical model of family support, and a more facilitative role (requiring better training) for managers.

- To reiterate, more personnel and resources are needed to promote families' well-being during pregnancy and the first three years of life but also to meet their *current* mental health needs where dysfunction is identified. This includes the further development of child mental health services (including infant mental health specialists) on the grounds that relatively few children with psychosocial problems are seen by specialists. Moreover, such specialists are needed to train and support other personnel. 'Back office' and IT solutions should be better resourced to enable professionals to spend more time with clients, rather than at their desks dealing with administration backloads.
- Services need to be available to families in their own localities, with better integration of agencies and disciplines at different levels of specialism. Services should be organised on a tiered basis to improve coordination of all services and access to higher levels of specialty. As many different services as possible should be co-located or organised closely together, including child mental health specialists, speech and language therapists and the like, regularly available in Children's Centres and schools.
- We would recommend that services be based upon the concept of *partnership* with families and that the quality of the professional's relationship with the client(s) be at the heart of delivery (see Davis et al 2002). The first implication of this is that careful attention will have to be given to selection and recruitment procedures to ensure that the workforce has the qualities and skills to engage families in true partnership and communicate with them effectively.
- All people working with families and children – across social care, health and mental health, education and the voluntary agencies – should receive specialist training to hone their understanding of the processes of helping and promoting family well-being and the interpersonal skills required for their work no matter what their role, as suggested by the Family Partnership Model (see Davis et al, 2002). Rather than imposing solutions, the collaborative model integrates the expertise of parents with that of potential helpers.
- As the use of a common model is likely to enhance inter-agency cooperation, it should not be limited to professionals' post-qualification period (and to child protection as stated earlier). Such training should be given pre-qualification in a multi-agency, multi-disciplinary setting.
- A final implication is that the management of all staff should be improved, and that regular, facilitative supervision be guaranteed. This will require



managers to be selected for their interpersonal qualities and supervisory skills, trained to enhance these and well supported themselves (Braun et al, 2006).

#### *Cost implications*

*Doubling the present stock of clinical psychologists and consultant psychiatrists would amount to the addition of a further 8,500 health professionals. This would cost an additional £350m based on an average mid Band 8 salary of £42,000. A more cautious expansion would involve an additional 1,000 mental health practitioners, based on CAHMS wait list of 25,000 children and a caseload of 25 children per professional.*

*Applying similar pay rates as for health visitors, this would cost £30m. There would also be further training costs for health professionals (the cost of training in foundation interagency skills is approximately £550 per person). In context however, the former plan represents an increase of 4% to 5% above the £7.9bn cost of public services devoted to mental health, according to a 2004 Cabinet Office review. Seen as prevention, there is potential for substantial longer-term savings.*

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## **Chapter 2** ***Rolling out Relationship Education across the Nation***

### ***2.0 Introduction***

#### *The need to focus on prevention*

Family breakdown is an expensive and painful business. Any attempt to reverse the long-term trend of increasing family breakdown needs to be backed by serious long-term strategies. We propose a radical step change in our national approach towards improving relational competence and reducing family breakdown. Through a series of government-backed schemes, administered through ‘invitations’, we aim to facilitate the expansion and provision of preventative relationship and parenting education by the voluntary sector to around 800,000 families per year, across the socio-economic spectrum.

In our report *Fractured Families*, we established that the main drivers of family breakdown have been divorce in the 1960s/70s and cohabitation in the 1980s/90s. The breakdown of the nuclear family has also been accompanied by even more pronounced breakdown of extended family links. In the absence of traditional sources of immediate wisdom and experience previously found amongst grandparents, uncles and aunts, all sorts of advisory services have emerged and become normalised. Families and individuals typically seek education and support from peri-natal services, friends, and an array of self-help books and magazines.



The striking exception to these resources involves relationships. To many people, the concept of seeking preventative advice on how to manage relationships at home is either alien or only for those with problems. We estimate that fewer than one in 100 couples per year seek any kind of relationship support – 75% of which involves the *treatment* of problems, for example via Relate, rather than their *prevention*.<sup>30</sup> Yet in recent years, a great deal of research has led to the development and evaluation of effective relationship and parenting skills programmes that can improve relationship adjustment and parenting behaviour as well as reduce family conflict and divorce (Benson, 2005). A recent study found that 44% of US couples who married in the 1990s attended some form of marriage preparation programme (Stanley et al 2006) with positive effects (lower conflict, higher satisfaction, lower divorce risk) amongst couples from diverse racial and economic backgrounds.

#### *The case for relationship education*

Government has recently begun to treat parenting education as a serious aspect of its Respect Agenda, launching a National Academy for Parenting Practitioners and encouraging local authorities to develop local parenting strategies (DfES, 2006). In contrast, the potential for relationship education remains almost completely overlooked. For example, the 1998 Green Paper, Supporting Families, recommended that registrars signpost engaged couples towards marriage preparation, but this did not become government policy. The voluntary sector, most notably the National Couple Support Network

Parents have a critical role in helping their children to develop the values and behaviour that underpin respect. Many say they would value help with parenting....

Respect Action Plan 2006

has stepped in and is aiming to provide 'coordinators' in every registration district through whom engaged couples can access marriage preparation services. A lack of government validation for marriage

preparation and recognition of research that indicates its likely effectiveness (eg. Carroll & Doherty, 2003) is discouraging many registrars from engaging with these coordinators.

Since relationship programmes have been shown to reduce family breakdown and improve family outcomes (Carroll & Doherty, 2003), there is a strong case for improving access and provision as well as normalising such

30 Estimating how much relationship support takes place is largely educated guesswork because so much is done under the radar by individuals and small providers. We have drawn from a variety of sources including Relate, The Marriage Course, Marriage Care, a University of Sussex survey of marriage preparation, Community Family Trusts and others. Unofficially, we estimate that around 20,000 couples attend preventive marriage preparation courses or sessions, a further 10,000 attend preventive marriage or relationship courses, and 100,000 couples seek remedial relationship help each year.

programmes from their current position at the margins. Likewise, there is good evidence that parenting programmes can lead to improved parent-child relationships and child outcomes (Moran et al, 2004).

#### *Learning from abroad*

The USA leads the field in this area, for example, in the area of marriage preparation mentioned earlier, although much is also happening in Australia (Parker 2007) as Chapter 6 makes clear. The best research on the best programmes shows that couples can learn effective communication, conflict management, and other relational skills, and are highly satisfied with what they learn (Halford et al, 2004; Stanley, 2001; Carroll & Doherty, 2003). Government-backed Healthy Marriage Initiatives (HMI) are now emerging in various US states that extend relationship programmes across other key life stages for married and unmarried couples and lone parents. The most advanced of these projects in Oklahoma has run relationship education programmes for over 100,000 adults in the last few years, impressively reaching around 1 in 20 young adults within this time. It was recently evaluated by the US Department of Health and Human Services (Dion, 2006). Despite the significant challenges of these large scale 'demonstration projects', it is especially striking that the most economically disadvantaged report the greatest interest and openness to such efforts (Johnson et al, 2002).

The nearest equivalents in the UK are the much smaller Community Family Trusts (CFT). As an example of active projects formed in recent years, Bristol CFT currently puts around 700 adults per year through relationship programmes on minimal funding, reaching around 1 in 80 young adults locally (BCFT, 2007). Married and unmarried couples are accessed through civil registrars, churches, ante-natal and post-natal clinics, schools and prison. Similar projects run in York, Somerset, Poole, Bedford and Southampton.

A 2003 evaluation by Exeter University showed that CFT marriage preparation courses significantly improved confidence levels and helped most couples resolve conflict.

#### *Cost of family breakdown*

Despite family breakdown costing every taxpayer between £680-£820<sup>31</sup> government spends just 58p per taxpayer on preventative and remedial relationship support. In focusing all its efforts on treatment, government is sending the message that mainstream family breakdown is largely inevitable. Yet family breakdown is often avoidable. Our proposals below, for a national 'invitation' scheme for relationship and parenting education programmes – and an

31 *Fractured Families*, pp67-68.

accompanying media campaign – represent a serious attempt to strengthen family relationships and prevent unnecessary family breakdown across the socio-economic spectrum. We recommend the following:

### 2.1 A new Marriage and Relationships Institute (MRI) alongside the existing Family and Parenting Institute (FPI)

Through talking to many family organisations, we have become aware of a serious absence of genuinely *preventative* family support. Family support can be

In YouGov polling for the SJPG (Apr-May 07), of those expressing an opinion 60% agreed or strongly agreed that prevention of family breakdown is possible and should get significant government funding.

seen as a spectrum, ranging from *preventative* (strategies for healthy relationships) to *remedial* (strategies for dealing with specific problems) to *treatment* (strategies for dealing with persistent prob-

lems). In practice, almost all current family policy that is described as *preventative* might be better described as *remedial*.

The dividing line between these areas is not always obvious or straightforward. A minority of organisations – such as Relate and Parentline Plus – do work across these boundaries although they are most well-known for their *remedial* and *treatment* work. The vast majority of voluntary sector organisations that focus on *prevention* tend to be small scale and specialise in one specific area, such as pre-marriage or parenting courses.

We propose the establishment of a new body focused entirely on *prevention*, the Marriage and Relationships Institute (MRI), to act as champion and administrator of a major series of preventative initiatives.

#### Visits to Oklahoma and Washington

In developing this proposal, several members of the group visited US Healthy Marriage Initiatives at federal and state level. The group has been impressed by how state-wide initiatives, such as in Oklahoma, have been rolled out across the community on a large scale. Despite openly highlighting marriage as best practice, these initiatives have attracted wide political support through their equal emphasis on healthy, non-abusive<sup>32</sup> relationships and their work with low-income communities. Alongside programmes for engaged or married couples, state-wide initiatives typically include preventative relationship and parenting programmes specifically for unmarried parents and lone parents on welfare. Our proposals aim to take the best of the US experience and adapt it to a UK setting.

<sup>32</sup> Providers are required to develop domestic violence protocols in collaboration with the National Resource Center on Domestic Violence, a course of action we would similarly recommend.

*MRI to champion prevention*

We propose that the new MRI has two roles. The first is to initiate, champion and administer a range of government-sponsored preventative relationship and parenting education ‘invitation’ schemes. This would involve running a media campaign to promote the scheme, managing national registers of approved programmes and local facilitators, providing resources for training and support, liaising with the appropriate commissioners of services in local councils (see Chapter 8), operating a website linking couples or parents with local facilitators, and administering the ‘invitation’ scheme itself.

The second role of the new MRI is to initiate and commission a major research programme into what makes marriages and families work. The goal of the research programme is to find practical ways to prevent and reduce family breakdown – whether through dissolution, dysfunction or dad-lessness. Research methods are likely to include identification of the dynamic predictors of relationship success that may be amenable to change through relationship interventions, and the evaluation of such interventions.

Alongside this would be the establishment of a world-class academic journal with an appropriately prestigious editorial board. Successful relationship and parenting interventions can only emerge out of a thorough understanding of the attributes of successful families. The majority of current research in both these fields comes from the US. Many of these findings transfer well to the UK but there are also cultural differences that may interact with other common factors to create a different set of inputs or outcomes. MRI’s research programme would build on this work, review other existing research and commission UK longitudinal studies looking at marriage and family outcomes and the effectiveness of relationship interventions. We must emphasise that we are not just proposing yet another family organisation: it is intended that the MRI would make Britain a world leader in understanding what makes families work and how they can be best supported.

*Interaction with other organisations*

We would expect that national organisations like the Family and Parenting Institute (FPI) will continue their important role in supporting families at the *remedial* and *treatment* end of the spectrum of family support. FPI currently acts *inter alia* as administrator of the £17 million Children and Young Peoples Fund and co-deliverer of the new National Academy of Parenting Practitioners (NAPP). We acknowledge and affirm their work which has earned respect from politicians and practitioners alike.

We especially value the role of FPI in drawing together voluntary sector organisations from different areas of family support – such as preventative and remedial relationship and parenting education, domestic violence, responsible fatherhood, lone parent support, relationship counselling and treatment – to help build understanding, diminish stereotypes, establish common goals, and find areas of mutual cooperation. Although MRI’s role is *preventative* there is clearly much potential for overlap and it is intended that MRI, FPI and NAPP work closely together.

*Cost implications:*

*In 2006, FPI administration comprised 5% of parenting fund costs. On a similar basis, MRI administration of a fully operative invitation scheme would eventually cost £10m per year. A research programme at least equivalent to that of Joseph Rowntree would cost a further £10m per year.*

## 2.2 A national relationship and parenting education ‘invitation’ scheme for couples and parents at key life stages

We propose the development and national roll-out of nine streams of relationship and parenting education programmes, administered nationally by MRI, with

“The most useful session of our post-natal course!”  
 “As a midwife I can see what a huge difference this will make, even for the “normal” family.”

Comments following a recent relationship seminar held in a health clinic.

Dorit Braun has seen some welcome changes over the last decade in public attitudes towards parenting courses. The chief executive of Parentline Plus says: ‘Ten years ago, if a cab driver asked what I did, the response was: ‘That’s for bad parents, isn’t it?’ Now they invariably say: ‘What’s the number?’

Guardian April 25th 2007

desirable outcomes specified by them, and operated locally by the voluntary sector through appropriate access points (including Family Services Hubs). The first five streams – pre-marriage, ante-natal, and parenting 0-5s, 5-11s & teens – access all families. The last four streams – lone parents, prison, military and care parents – access specific vulnerable families.

Just as marriage *per se* does not guarantee good outcome, neither does relationship education. However enough

is known to be confident that widespread provision of relationship education will make a significant and positive difference to the stability of Britain’s families.

The nine streams are as follows:

- Pre-marriage. One day relationship programme, or three sessions with facilitator and couple inventory, for couples entering marriage or civil partnership who are accessed through registrars and churches.
- Ante-natal. One taster session of relationship education for couples having a baby, married or not, accessed through health visitors and clinics, and signposting further opportunities.
- Parenting of 0-5s, 5-11s and teens and lone parenting (4 streams). Six session parenting and relationship programme, age-appropriate for married, cohabiting or lone parents. Main access is through registrars, primary and secondary schools or through the benefits agency.
- Prison couples. Six session relationship and parenting programme for prisoners, married or not, and their spouses/partners (accessed through prisons).

- Military couples. Weekend or six session relationship and parenting programme for members of the armed forces, married or not, and their spouses/partner (accessed through the military.)
- Care families. Residential weekend away including relationship and parenting programme for parents with adopted, foster or disabled children. Access to these families at higher risk through social services. (We discuss the stream for parents of disabled children separately in Chapter 3).

A paper giving further description of each stream is available on the website [www.bcft.co.uk](http://www.bcft.co.uk)

**Table 1.2.1: Relationship and Parenting Education: Estimated take-up rates, course type, scheme costs, reduction in family breakdown**

| Per Year          | Population (families %) | Take-up rate % of all | Access no. families | Course type                        | Course length | Provider cost | Incentive cost | Childcare allowance* | Costs (£/family) | Costs (£m. p.a.) | Reduced % | Breakdown Families | Savings (£m.p.a) |
|-------------------|-------------------------|-----------------------|---------------------|------------------------------------|---------------|---------------|----------------|----------------------|------------------|------------------|-----------|--------------------|------------------|
| Pre-marriage**    | 280,000                 | 14%                   | 37,800              | Rel'ship                           | 1 day /3 ses  | £100          | £60            | -                    | £32              | £1.2             | -£30%     | -1,288             | -£18.4           |
| Ante/post natal   | 720,000                 | 30%                   | 218,800             | Rel'ship                           | 1 session     | £30           | £25            | £20                  | £75              | £16.4            | -20%      | -7694              | -£89.1           |
| Parenting 0-5***  | 720,000                 | 20%                   | 144,000             | Parenting                          | 6 sessions    | £80           | £50            | £120                 | £250             | £36.0            | -         | -                  | -                |
| Parenting 5-11    | 720,000                 | 20%                   | 144,000             | Parenting                          | 6 sessions    | £80           | £50            | £120                 | £250             | £36.0            | -         | -                  | -                |
| Parenting teens   | 720,000                 | 20%                   | 144,000             | Parenting                          | 6 sessions    | £80           | £50            | £120                 | £250             | £36.0            | -         | -                  | -                |
| Lone parents****  | 185,000                 | 20%                   | 37,000              | Both                               | 6 sessions    | £80           | £50            | £120                 | £50              | £9.3             | -         | -                  | -                |
| Prison            | 80,000                  | 10%                   | 8,000               | Both                               | 6 days        | £500          | -              | £300                 | £800             | £6.4             | -         | -                  | -                |
| Military*****     | 190,000                 | 20%                   | 38,000              | Both                               | Weekend       | £250          | -              | £100                 | £350             | £13.3            | -30%      | -798               | -£9.2            |
| Care parents      | 60,000                  | 33%                   | 20,000              | Both                               | Weekend       | £250          | -              | £300                 | £550             | £11.0            | -         | -                  | -                |
| <b>Total*****</b> | <b>3,675,000</b>        | <b>22%</b>            | <b>791,000</b>      | <b>- Annual Cost as % of total</b> |               | <b>£66.4m</b> | <b>£31.8m</b>  | <b>£78.9m</b>        | <b>£209</b>      | <b>£165.5</b>    | <b>-</b>  | <b>-10,080</b>     | <b>-£116.7</b>   |
|                   |                         |                       |                     |                                    |               | <b>40%</b>    | <b>16%</b>     | <b>44%</b>           |                  |                  |           |                    |                  |

\* Childcare allowance is £20 per session, £50 per day course, or £500 per weekend for adoptive/foster parents of care children

\*\* Pre-marriage costs are offset by £20 increase in wedding fees, discounted by £60 for course participants

\*\*\* All parenting courses include one session of parent-parent relationship education

\*\*\*\* We estimate annual lone parent family formation arises from 75,000 married and 110,000 unmarried families. Costs include childcare allowance of £20 per person

\*\*\*\*\* Military family breakdown rate is conservatively estimated using national divorce rate of 1.4%

\*\*\*\*\* Totals may include some overlap between schemes

### Improving family stability at key life stages

Preventative relationship and parenting education programmes can be extremely effective. Reviews show that programmes lasting just a few hours can strengthen family relationships over a period of one to five years (Carroll & Doherty, 2003; Moran et al, 2005). For example, a major study of 3,000 families in the US found that divorce rates were 30% lower over the first five years of marriage amongst those who had completed a well-organised marriage preparation programme (Stanley et al, 2006). With UK family breakdown so heavily concentrated in the early years of marriage and parenthood, even modest improvements in family stability at these key stages will still prove highly cost effective.

Since outcome studies show that lay educators with a minimum level of training can produce the same or better results as professional educators, preventative relationship education is ideally suited to local volunteers (Laurenceau et al, 2004). The vast majority of existing providers or facilitators of preventative relationship and parenting educational programmes are

volunteer individuals, parents or couples, attracted to the notion of supporting other families.

#### *How ‘invitations’ work*

Personalised ‘invitation’ schemes have several advantages over block grants. Most importantly, invitations attach directly to course attendance thus ensuring a clear link between funding and delivery. Funding comprises two parts:

- 1 Service delivery funding will support existing providers – mostly voluntary sector charities, churches or individuals – and will also encourage new entrants, regardless of size
- 2 Attendance of the programme is supported by a childcare allowance and rewarded with supermarket vouchers. This provides a fixed incentive scheme that will prove relatively more attractive to lower income groups who are also proportionately more at risk.

Experience in both the US and UK suggest that incentives are an important way to encourage demand for unfamiliar programmes. Our proposed funding comprises 16% incentives, 44% childcare allowance contribution, and 40% service delivery. Incentives differ according to length of course and general appropriateness. For example, the pre-marriage incentive is a £60 wedding fee discount, paid for by increasing wedding fees by £20, making this stream largely self-funding.

#### *Professionals and lay educators – the importance of proven skills*

It is essential that MRI, as a body designed to support voluntary sector intervention in the prevention of relationship breakdown, strike a careful balance between encouraging the voluntary sector to flourish (through avoidance of over-regulation and, where it is unnecessary, an undue emphasis on highly qualified practitioners), whilst at the same time protecting participants from poor programmes or poor facilitators. A quick and easy approval and training process must be backed up by a robust complaints procedure. MRI must also provide proper auditing procedures to protect against the potential for ‘invitation’ scheme fraud.

Current training for facilitators of *preventative* programmes typically involves observing a course at first hand and then applying their own experience using a manualised leaders guide. Worldwide, almost all relationship education programmes apply this observational learning method, including the empirically-informed and tested course PREP. The largest provider of relationship education in the UK is The Marriage Course,<sup>33</sup> running up to 1,000 courses for 6,000 couples yearly. Training for volunteers is through a one day training programme that

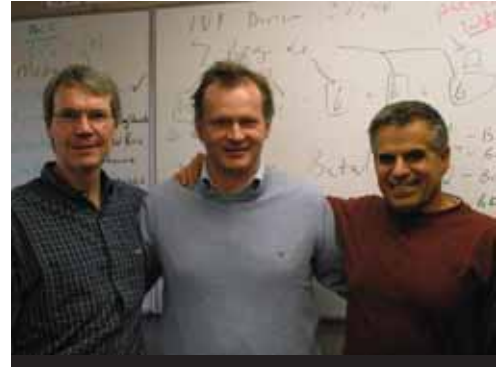
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33 [themarriagecourse.org](http://themarriagecourse.org)



includes observation of a single session. Increasingly, home-use DVDs provide the training programme. Supervision for facilitators is usually limited to informal support from a parent organisation or training resource provider.

Professionals more used to *treatment* programmes with clinical populations, such as Parenting UK, have expressed concerns to us about the risks posed by lay educators equipped with minimal training and supervision. The skill level of the facilitator, for example, is directly related to the effectiveness of parenting programmes amongst these more demanding groups (Scott et al, 2006). We acknowledge that a large scale intake of new facilitators will require support to build sufficient small group management and people skills. We therefore propose that MRI require facilitators to participate in a mentored training scheme where any skills deficits can be identified and addressed. Minimum requirements will also be set for ongoing evaluation, support and some level of supervision from a mentor. Similarly, MRI will establish protocols for evaluation of programmes and processes, to facilitate continuous learning and improvement.



Harry Benson, Deputy Chairman of the Family Breakdown group met stateside experts Stanley and Markman to discuss successful family support initiatives

#### *Overcoming hurdles*

We are well aware that a huge expansion programme brings new and formidable challenges, many of which have not been fully addressed here. Yet current provision of relationship and parenting education likely represents less than 5% of what is needed. From various sources, we believe there are at least 2,000 facilitators currently delivering marriage or relationship courses, as well as 3,500 health visitors trained in relationship support and 2,500 relationship counsellors. We expect the 20–40,000 facilitators that our schemes ultimately require will mostly comprise parents looking for a rewarding part-time challenge.

It is to be hoped that these services, on the scale we suggest, will not be necessary in perpetuity. By offering them so extensively, and giving them the imprimatur of government funding, the aim is to incrementally build the relational competence of the nation. As this generation of parents passes on these skills and attitudes to their children, the need for these interventions will gradually diminish, but it could take twenty years or more to transform the relational landscape.

#### *Cost implications*

*The table above details the range of schemes costing £166m once fully operative after a few years. Although the savings generated by the parenting, prison and care schemes are hard to quantify, the pre-marriage, ante-natal and military schemes all pay for themselves several times over through reduced family breakdown. Once up and running – likely to take place incrementally over several years due to the need to build capacity within the voluntary sector – we estimate the proposed ‘invitation’ schemes detailed above could impact the relationships of around*

*800,000 families annually, at an average cost of £209 per family. The expected reduction in family breakdown from each year group will produce sufficient savings to cover scheme costs within two years. We estimate that this scheme would impact the relationships of around 250,000 young married and unmarried couples every year, prevent at least 9,000 unnecessary divorces or separations every year, and save the taxpayer £107 million for every subsequent year that these families avoid family breakdown. Within five years, the cumulative annual net gain to the taxpayer could amount to £500 million or more.*

### 2.3 Relationship education in schools

As family breakdown increases, children can grow up with a desire for family stability yet lacking the personal or family experience, knowledge or confidence that this is attainable. Schools have a potentially important role to play in educating children and young people about the nature of marriage, family and relationships. Small changes in risk behaviour amongst a minority of children could be hugely cost effective.

We are wary of being too prescriptive regarding school policy, partly because more research is needed in this area. We therefore make only two recommendations. The first is that the PSHE curriculum includes a specific opportunity to learn about, explore and discuss the nature of marriage, family and relationships. The second is that the voluntary sector be actively encouraged and welcomed in providing PSHE resources for relationship education.

Young people might reasonably be expected to learn about family structure, stability, process and breakdown. PSHE relationship programmes must be evidence-based using reliable research sources – such as *Fractured Families* – and illustrated with personal experience. It is clearly important to avoid stigmatising young people whose personal experience of family and relationships may be very negative. However the priority is that any curriculum must focus substantially on successful relationship formation and maintenance. This includes placing the current SRE curriculum in a clear relational context that discourages early sexual activity. Information about family structure needs to be supported by explanations of what to look for in a potential mate, why it's risky to move in before you're clear about your future, why married couples do better, why it's better to commit, how men and women commit in different ways, and so on.

#### *Cost implications*

*Additional costs of the occasional relationship education to PSHE are expected to be nominal. Costs may even be reduced through using voluntary sector services to replace existing input. Love4Life,<sup>34</sup> a voluntary sector provider in Loughborough, highly respected by local schools, gave us the following figures: 'There are 7 high schools in this town, with a total of approximately 600 year 9 pupils. To deliver three quarters of the required sex and relationships education (as part of their key*

<sup>34</sup> <http://www.love4life.org.uk/>

stage 4 PSHE curriculum) in all these Loughborough schools would cost only £2000 (based on 4 lessons per year 9 pupil, with approximately 30 pupils in each class, giving a total of 80 lessons @ £25 per lesson, which pays for two educators)’

## Chapter 3

### Supporting Families with Disabilities

#### 3.0 Introduction

In *Fractured Families*,<sup>35</sup> we described the problems faced by families dealing with disability as follows: ‘Disability puts additional strain on families, particularly when associated with children or when the onset has been sudden. As well as the psychological and financial difficulties, access to the support system which should assist is frequently a further source of huge pressure, further stressing the family unit.’

We consulted with a broad range of organisations and experts, visited projects in Austria, the UK and the US, and reviewed the recent, well-researched reports on policy for families with disabilities.<sup>36</sup> This evidence highlighted three main areas where we think policy change could make a significant difference to families dealing with disability. We are recommending the following:

“If you gave us £500 million to spend on anything we liked for the disability community, we would put £350 million of it into respite care. Being able to take breaks from the strain of care is what protects and saves family relationships.”

Steve Broach, Every Disabled Child Matters campaign

“If I did not get respite care from my disabled mother, I couldn’t do this anymore”

Female carer, North East England

#### 3.1 Creative ways for delivering more respite care

There is a strong evidence base to support the notion that all families, whatever the age of the relative cared for, need a break from caring (Mencap 2005).

<sup>35</sup> p87.

<sup>36</sup> Such as Policy Review of Children and Young People - interim report (HM Treasury/DfES, 2007); Parliamentary hearings on services for disabled children (Oct 2006); Improving Life Chances of Disabled People (Prime Minister’s Strategy Unit, 2005); Children’s National Service Framework (DfES/DH, 2004); Removing Barriers to Achievement (DfES, 2004); Services for Disabled Children (Audit Commission, 2003).

This policy review supports more funding in respite care as a protective factor for family relationships. However respite care is undoubtedly expensive<sup>37</sup> and despite the demand for it, facilities offering respite are closing and will continue to do so without investment.<sup>38</sup>

Although in February 2007 the Disabled Children (Family Support) Bill<sup>39</sup> failed to get its Second Reading in parliament (it was objected to on the grounds of cost), a three-year budget for respite care of £340m was announced in May 2007. According to the Every Disabled Child Matters campaign group, this money will provide an additional 40,000 short breaks for families with children who receive the higher component of Disability Living Allowance – meeting only 40% of what they estimate to be the need.<sup>40</sup>

#### *Paying relatives and trusted friends at a lower rate*

As a general measure, we recommend that creative ways be sought to make it easier and more cost-effective for parents to receive respite care. In keeping with our later recommendations on individual budgets, parents should be given ‘cash in



hand’ for respite care, to spend as they think fit, on either formal or informal care. A lower level of government subsidy should be payable to grandparents, other close family members or trusted friends, who could look after disabled children whilst their parents are away (in much the same way as we recommend in a later chapter that childcare tax credit be payable at a lower rate to family members). Parents should be able to make the choice to leave their children with those whom they trust, in the unregulated environment that is their or the carer’s own home.

We heard that many parents would prefer to use such an option and would feel that it was easier to ask a close relative if they knew there would be some financial assistance (thus reducing the sense of imposition). Subsidised or free professional care would still be available for those unable to call on close family to assist. If such a scheme were adopted, cheaper respite care would be more readily available.

#### *‘Relationship weekends’*

As a specific measure, we recommend that funding be provided for respite breaks that also include relationship and parenting support. This creative scheme to support wider family relationships serves multiple purposes, not least of which is to stimulate regeneration of respite facilities provided by the private and voluntary sector. As well as providing a rest, the break offers the opportunity for couples to take advantage of protective relationship and parenting strategies as well as to

37 In Birmingham a bed for respite care costs £152 per night and in Oxfordshire the cost is over £180.

38 Oxfordshire in 2007 will lose 2 of 5 respite centres.

39 The bill would have amended the Children’s Act 1989, the Carers Act 1995 and the Childcare Act 2006 to make certain that the rights of disabled children to short break care are set out in law.

40 Campaign group Every Disabled Child Matters say that there are 100,000 families with disabled children.

link up with parents in a similar situation.

In the US, Oklahoma Healthy Marriage Initiative has run weekend retreats – two days/one night – for over 300 couples, with considerable success. Some of these weekends have been aimed at parents with adopted or foster children,

others at parents with disabled children. A similar UK pilot is currently under discussion in Bristol. The cost of these programmes is relatively high because of the need for hotel accommodation for the parents and high quality care for the children. Cooperation of local government would be essential in order to access eligible parents and arrange appropriate childcare. We would imagine that existing respite facilities would be used, thus stimulating the market for such care and opening up opportunities for third sector and private providers to meet demand.

Whilst it must be stressed that we realise this proposal will not meet a family's entire need for respite care, this solution would give families a break and equip them at the same time for a more relationally healthy future.

One disability rights campaigner told us

“The central problem is that state run systems all demand risk averse highly structured and tightly regulated environments. Your solutions must break that mould and move back to care being provided in the trusting, unregulated environment of the extended family.”

### *3.2 Simplified access to support and services through one-stop shops (specialised Family Services Hubs)*

One of the problems identified from the interim report was the need for disability services to be joined up practically and for the system to be simpler to navigate so that families could find the help they needed. We visited Birmingham and spoke to various organisations such as Special Abilities<sup>41</sup> and Hurdles who explained how a ‘one-stop shop’ might function, where services and information to help families are found under one roof. One existing example is the Josian Centre in Southampton where a number of NHS services and other organisations, such as the Red Cross, share costs and facilities and also save families time and energy by being in one location.<sup>42</sup>

Other countries recognise the need for families to have simple access to a full range of services. The PACER parent centre in the US provides a good example of a specialised family services hub for those with disabilities. We specifically recommend a detailed review of the Austrian model of ‘mobile clinics’ which represent a one-stop shop for disabled children and their parents and work through a simple (and single) assessment process as follows:

41 <http://www.abilities.fsnet.co.uk/>

42 <http://www.southamptonhealth.nhs.uk/ourservices/achs/josiancentre>. The Josian Centre, visited by the policy group, opened in July 2006, 10 years after the initial proposal to move all services to one site.

### Case Study - The Pacer Center USA

The work of the PACER (Parents Advocacy Coalition for Educational Rights) centre in Minneapolis, USA provides a 'central hub' in a local community to support families in accessing disability services.

With the backing of government legal requirements and funding, this model of good practice has now been replicated throughout the US. There are currently 106 centres at least one in every state.

Founded by four parents in 1979, the majority of Parent Centre staff are parents of children with disabilities, able to bring personal experience and empathy when working with families.

Parent centres provide a variety of services including one-on-one support and assistance, workshops, publications and websites. They also provide signpost to other organisations providing more specific training or help.



Chief Executive Paula Goldberg and management team, Pacer Center Minneapolis

- Parents ask for assessment, then visit the mobile clinic (where there is a multi- disciplinary assessment team). Respite care needs and available 'extended family alternatives' would be included in such an assessment
- Funds are allocated in response to the assessment outcome (paid 'in kind' in Austria, but we would propose that where possible they are paid in cash – see later section on Direct Payments and Individual Budgets)
- Mobile clinics provide guidance (if needed) on service availability to meet care plan
- Reassessment on an annual basis (as a minimum)

#### Cost implications

*A hub equivalent to the Josian center in Southampton in every parliamentary constituency would cost £65m in annual rent. However although centralised hubs bring increased costs for new services, they also bring considerable efficiency gains to both provider and user by putting many services under one roof.*



Family group visiting the Josian Centre, Southampton.

### 3.3 Creation of a new compact between local authorities and the disability community

There needs to be greater respect for voluntary sector (especially user-led) solutions. Direct Payment/individual budgets should be treated in the same way as Disability Living Allowance, as 'cash in hand', allowing recipients greater control over their own lives. (See also Voluntary Sector Funding, Volume 6, 3.3.7: Vouchers in Third Sector Funding)



*Delivery of services*

We found considerable agreement between parliamentarians and the disability community about the direction of legislation and what needs to be put in place. Understandably however, problems arise at the point of delivery where services and benefits are considered to be poor. The perception of many service users and voluntary sector service providers is that there is a lack of local accountability in that clear, desirable outcomes are not set, upon which local authorities must then deliver. One family carer from Berkshire said to us, ironically, that ‘The only thing worse than a target is having no target’ because, as we heard repeatedly, funding eg. for disabled children’s services is commonly diverted, especially towards child protection where there is a much clearer sense of accountability.

**YouGov polling for the SJPG (Apr-May 2007) found that 85% of people agreed or strongly agreed that ‘Lone parents and disabled people capable of working should be encouraged to do so.’**

We are reluctant to impose more targets on local authorities although we are sympathetic to the view that they should be assessed on the extent to which services and support provided to families of disabled children are satisfactory to the users themselves. Therefore we are suggesting a different approach which is that a new relationship between local authorities and the disability community be fostered through the creation of local compacts between these two parties.<sup>43</sup>

*‘Enabling authorities’*

In his paper on local communities, Dick Atkinson<sup>44</sup> (describes how a local authority could become an ‘enabling authority which does less (but better!) and challenges ordinary people, voluntary and faith organisations to build Civil Society, accept responsibilities and do more to help themselves.’ Such an approach would be particularly appropriate in the area of disability services. In their submission to the Equalities Review in 2005, the Disability Rights Commission stated that ‘Social and health services need to be transformed to support disabled people’s contributions – reversing the notion that disabled people are only passive recipients of care, and instead supporting their active contributions as citizens.’ They called for opportunities for disabled people to make a *recognised contribution* and interact with the wider community on more equal terms.

The innovative and creative character of the voluntary sector is particularly necessary in the delivery of services which often have to be very personalised and take into account a diverse range of needs and circumstances. Arguably, it is unrealistic to expect a local authority which, by its very nature is well-equipped to

43 This may require the drafting of a proper legal definition to determine the expectations and responsibilities of all parties involved in assessment processes.

44 See ‘Vibrant Villages - Building quality lives in quality neighbourhoods’ at <http://www.balsallheathforum.org.uk/start.htm> (accessed 23rd May 2007).



deliver a more standardised product, to be able to 'turn its hand' to the bespoke services which many disabled people need. The strong impression we received from the many individuals and organisations we spoke to was that many local authorities were still not engaging as fully as they might with the voluntary sector. One mother caring for a disabled adult who has been on the Local Strategic Partnership Board of her council for several years told us that 'they are willing to *talk to* user-led disability services organisations, and ask their advice on how best to deliver services, but stop short of actually giving them the responsibility and funding to do the job themselves. There seems to be a lack of respect for what they could do to actually *solve* these difficult problems.'

#### *Harnessing experience and expertise*

It is this perceived 'lack of respect' that a compact would be designed to remedy. If service users were drawn into partnership with the local authority in the development of plans for service delivery, their considerable expertise in providing services could be harnessed. Such a compact would also necessitate a regulatory audit to identify where the voluntary sector was being unnecessarily hampered, for example, by an obsession with health and safety (Voluntary Sector Paper, 3.3.1: Local Area Agreements). One carer had been provided with very specialised respite care for her seriously disabled child by a voluntary sector provider for several years, until the regulations changed such that the provider was unable to meet a particular criterion. The provider was no longer able to offer the service, but had been the sole provider in the area. Since this point this family has had no respite care, not because of a lack of funding but because of a lack of a suitable provider.

There is no doubt that health and safety have to be carefully thought through, but the imposition of what may be unnecessarily exacting standards onto the voluntary sector is one example of the local authority's paternalistic relationship with it. A compact would challenge the assumption that the local authority should have undue dominance and create a more equal relationship between the two sectors. Additionally, just as voluntary sector providers are expected to conduct evaluations of their work, a symmetrical expectation would be placed on local authorities. The best way for assessment to be carried out on their delivery of disability services is by surveying those families most affected by them.

#### *Direct Payments and individual budgets*

It is envisaged that a compact between the local authority and the disability community would also affect the availability of schemes such as 'Direct Payments' and

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45 Direct Payments are part of a new overarching 'individual budgets' approach to public services which the current government are moving towards and we would want to further embed. According to Home Office minister Liam Byrne and Anne Rossiter from the Social Market Foundation, such an approach 'stresses empowerment and equity as much as efficiency...where we have tried it, it appears to work and offers staggering results. Individual budgets in social care today give people a different chance to put together a package of care from different players in a way that is as unique as they are, sometimes at a fraction of the cost of state provision.' (Society Guardian, 23rd May 2007, 'We must plot a new course').

individual budgets.<sup>45</sup> Such schemes currently offer families greater flexibility than if services are provided by local authorities, allow them *some* control over their own lives and, as the boxed quote indicates, can act as a protective factor against relationship breakdown. There is a perception within the disability sector that they are not suitable for all situations firstly because recipients effectively become an employer of a carer and secondly because they have to find alternative services to those provided by local authority.

YouGov polling for the SJPG (Apr-May 2007) found that, of those expressing an opinion, 86% agreed that 'People needing government-funded social care (e.g. due to illness or disability) should have the right to choose from a range of providers to find the one that best suits them'. Similarly 72% agreed or strongly agreed that 'People in receipt of government funded care (due to illness or disability) should be able to choose who provides it, whether the state, private companies or charities'

“Our lives as a family changed dramatically when we got Direct Payments for our son. We could spend the money on the care and support we most felt we needed - life became a lot more fun and we all got on better”

Father from Manchester

However, looking at these two concerns in turn, the regulations imposed by local authorities on how these funds can be spent undermine the sense that these are truly *individuals'* budgets. For example they stipulate that 'you cannot secure a service from your spouse or civil partner, close relatives or anyone who lives in the same household as you, unless that person is someone you have specifically recruited to be a live-in employee (other than in exceptional circumstances, which your council may agree with you).'<sup>46</sup>

Local authorities currently demand that people in receipt of Direct Payments account for every penny spent whereas Disability Living Allowance, administered by the DWP is handed over (even at the highest rate), with no 'strings attached'. The control local authorities exert over spending decisions of individuals may be making the Direct Payment system more daunting than it needs to be, creating an environment where people are concerned that they will be accused of mis-spending funds, that they will be unable to meet the accounting standards imposed and ultimately deterring them from choosing to source their own services.

It is possible that there will always be recipients who lack the skills to source their own services. In many cases skills deficits could be addressed by individual tutoring or tailored courses to build confidence, competence and skills which would be transferable to other aspects of life. Individual budget systems could be developed to become a runway to greater independence, but this will only happen if control over funds is placed more fully in the hands of the recipient.

46 [http://www.direct.gov.uk/en/DisabledPeople/FinancialSupport/DG\\_10016128](http://www.direct.gov.uk/en/DisabledPeople/FinancialSupport/DG_10016128) accessed 9th June 2007

**Case Study: The Stepping Stones Project, Birmingham.**

The Stepping Stones Café is mainly staffed by people with learning difficulties, and supported by a small grant of £6000 (which pays for an able-bodied member of staff to oversee the project). In addition, those with disabilities use their Direct Payments to bring in care support staff to help them work. The café brings in £1500 profit a year, which is reinvested into equipment for the café.

The project is run out of a small community centre and provides wholesome, affordable food for local residents, including many pensioners. This project therefore provides a service and social interaction for the elderly, building the community as well as training those with disabilities, giving them a 'stepping stone' to the wider workplace. The project builds self esteem in its staff and gives them a sense of purpose



Stepping Stones Disability project in Birmingham

Looking at the second concern of having to find alternative services, due to the current lack of investment in the voluntary sector and the small profit margin for private sector ventures in this field, it *can* be hard to source these services. Also, local authorities are still required to fund their own services, which can make them hesitant to promote a Direct Payment/individual budget system because of its cost implications. However, the new relationship implied in the compact would be expected to shift an emphasis away from what is simplest and cheapest for a local authority towards what is most appropriate for an individual's circumstances. Again, this is not about how best to manage dependency, we came across examples of Direct Payments being used in an entrepreneurial way which enabled recipients to be involved in work.

There are 7 million disabled people of working age in the UK, 20% of the working population. The Shaw Trust<sup>47</sup> told us that only 50% of disabled people are working (as opposed to 80% of the non-disabled workforce) and that half of those who are currently not working, would like to, given the right opportunity and support. Where work is possible for disabled people, it greatly improves family relationships and eases care burdens. Moreover, as the Disability Rights Commission<sup>48</sup> state, 'Participation in public, civic and community life is both an outcome, and a means to an end. Participation is important in increasing the voice of disabled people, in providing greater opportunities for disabled people to make a recognised contribution, in fostering interaction between disabled and non-disabled people on more equal terms, in

<sup>47</sup> <http://www.shaw-trust.org.uk/>

<sup>48</sup> Submission to the Equalities Review, 2005 (see [http://www.disabilityagenda.org/docs/DRC\\_final\\_submission\\_to\\_the\\_equalities\\_review.doc](http://www.disabilityagenda.org/docs/DRC_final_submission_to_the_equalities_review.doc) accessed 23rd May 2007).

transforming attitudes and expectations, and in providing disabled people with opportunities to acquire skills and experience.’ A lack of confidence and training prevent many from going into the work place but Direct Payments can help people to take the necessary steps (see boxed case study). The Economic Dependency paper in this volume discusses disability and work further.

#### *Barriers to access to Direct Payments and individual budgets*

Organizations (and reports) we consulted explained that there are other reasons why Direct Payments are not available as widely as they might be. In particular, there needs to be a preliminary consultation with a social worker which constitutes a bottleneck in the system and there is no standardised method for assessing needs.<sup>49</sup> A simple, single (but regularly recurring) assessment process such as is used in Austrian mobile clinics would address both of these issues.<sup>50</sup>

More generally however, taking the individual budgets agenda forward in the disability services arena requires that people with disabilities and carers of disabled dependents have far greater control over how monies are spent. It will also require a reconfigured relationship between the disability community (which includes voluntary sector service providers, many of which are user-led) and local authorities. A compact setting the terms of this reconfigured relationship is recommended, the parameters guiding which would require significant engagement with representatives of both local authorities and the disability community to determine (and consideration by an Implementation Working Party as described earlier).

#### *Cost implications*

*As local authorities do not account separately for disability spending, it is ‘difficult to get any figures that make any sense on Direct Payments’, according to the campaign group Every Disabled Child Matters. Although increases in Direct Payment add to the cost of local authority services already provided, the flourishing of voluntary sector services and the use of informal respite care (and other services) will offset the need for some, more costly state provision. As well as being more convenient and flexible, privately sourced provision is usually more cost effective and savings are anticipated in the medium to long term.*

49 ‘Basic human needs’ fall under the categories of family, mobility, social/recreational, language/cultural and there are 4 different levels of ‘eligibility criteria’ (critical, substantial, moderate and low) for meeting these needs, which determine the level of benefit. However, local authorities are not bound by law to assess on all four levels.

50 In addition, budgetary conflicts between health and social services mean that if a need falls under healthcare, they cannot grant Direct Payments to patients (and therefore end up offering healthcare packages, where cheaper Direct Payments would have been fulfilled the same need).

## Economic aspects of family breakdown

### Chapter 4

### *Reforming the welfare system to strengthen the family*

#### 4.0 Introduction

As *Fractured Families* made clear, the UK has amongst the highest rates of unpartnered childbearing and family breakdown in the western world. The marriage rate has been falling

Bertrand Russell considered that when the father's purpose to protect children whilst they are growing up is taken over by the state 'the father loses his *raison d'être*'

Russell 1929

Our YouGov (Apr-May 2007) polling showed that only 24% agreed that lone mothers do not have the support of a partner and have at least one income, therefore they should be entitled to more money and benefits than couples (19% said they didn't know)

and an increasing proportion of children are being raised by unmarried cohabiting couples. The decline in marriage has contributed to the modern growth in lone parenthood since cohabiting couples are on average far more likely to separate than married couples. Our earlier report described the largely negative effects of

family breakdown on children, intergenerational ties, the elderly and society in general. These social trends are also of concern as they are very costly to the taxpayer who must foot a massive bill to deal with the associated poverty, crime and poor educational performance.

Alongside these developments the role of the family as a locus of mutual support and care has been undermined, as its functions have been progressively taken over by external private and public institutions. Some of these changes were inevitable and some were desirable. However, there are also areas where the outcome has been undesirable and in some cases, the Government itself has contributed to the negative developments. It could be argued that state provision obviates the need for a providing father and for men and women to be interdependent, especially when they are raising children together. The provision of state support should be done in a way that ultimately encourages family networks to be self-supporting as the accompanying report on Economic Dependency makes clear. It systematically describes appropriate work requirements for different categories of benefit recipients, recommending for example that lone parents with primary school-age children be expected to either look seriously for work, take up work within their capabilities or

be engaged in an active labour market scheme (See Economic Dependency Paper 2.4.2: Work Expectations).

### *The Couple Penalty*

We have argued that the present tax and benefit policy is not just a response to social disintegration, but is also a causal factor. In the name of combating child poverty, it has had the unintended effect of subsidising un-partnered childbearing and family breakdown, thereby contributing to their spread. To some degree this is unavoidable. Any humane society must be concerned with the welfare of its citizens and must seek to ensure an acceptable standard of living for everyone. In the case of a lone parent, for example, this result is achieved through some combination of welfare benefits, wage supplements and child-care subsidies. The value of the resulting package is typically much larger than a similar un-partnered parent would receive if he or she did not have children. The composition and scale of the package can be altered but it is very hard to eliminate the subsidy for un-partnered childbearing without impoverishing the children. (Even in the USA, which has imposed a time-limit on many means-tested benefits with the aim of getting lone parents into work, there is still employment-related support for lone parents under the Earned Income Tax Credit programme.)

**Also in the YouGov (Apr-May 2007) poll for the SJPG, 77% of those expressing an opinion agreed that 'the Government should provide benefits for married couples to support the stability marriage brings to society. Currently the benefits system is an incentive to claim as a lone parent.'**

In addition to the subsidy it provides for un-partnered childbearing, the present tax and benefit system may impose a substantial penalty on couples who are married or openly cohabit (see Draper and Beighton 2006, IFS 2007, Campbell and Roberts 2002 and the Appendix commissioned from tax and benefits experts at the back of this report). The main focus of anti-poverty policy in recent years has been on lone parent families, with the result that poverty in two-parent families has actually increased.<sup>51</sup> The scale of this has not been sufficiently addressed. According to information in the official tax and benefit tables, taking into account housing benefit, many low-income couples would be thousands of pounds a year better off if they split up than if they live together. These may not be princely sums by the standards of highly-paid professionals, but they are large in comparison with the income of those at the bottom of the income scale. In some cases, the penalty can be as high as £8,500 for a family with an income of only £20,000.<sup>52</sup> It would be wrong to claim that the couple penalty is responsible for the entire growth in lone parenthood, but it has surely played a role.<sup>53</sup>

51 See Table E5 HBAI (DWP 2005/6). This shows on a before housing cost (BHC) basis that 60% of poor children were in two-parent families in 2005/06 compared with 57% in 2002/03. On an after housing cost (AHC) basis it is 58% compared to 55%.

52 See Appendix.

53 See *Fractured Families*, pp89-92.

There are two ways of tackling the couple penalty. One method is to reduce dramatically the amount of financial support for lone parent families. This would impoverish a large number of children. A better alternative is to provide more support for couple families. This would reduce the incentive for unpartnered child-bearing and family breakdown. It would also help to relieve the widespread poverty and stress in low-income couple families. This subject receives fuller treatment in the Appendix to this report commissioned from independent experts in this field.

#### *Support for marriage*

Marriage is a valuable institution that is of benefit both to children and to society at large. The boxed quote indicates the need to avoid the trap of only focusing on

**Policymakers are prone to focus on marriage penalties and bonuses for low income families, because that is the most vulnerable segment of the population. I would argue, however, that these families do not make their decisions in a vacuum. They are affected by societal norms, reflecting marriage patterns of higher-income couples with and without children. Policymakers should therefore be concerned about these less vulnerable populations as well. While they may never need government assistance, their choices to marry or cohabit have cumulative effects. Marriage needs to be encouraged, honored, and rewarded for all.**

Burstein 2007:43

the most vulnerable families in this area. Support for marriage cannot be simply dismissed as giving money to those who are already comfortable. The Appendix to this paper explains how the tax burden on families has risen disproportionately in recent history. As one commentator put it, 'the middle-class, middle-income family, that bastion of social stability, hard work and high aspira-

tions has never been so embattled.'<sup>54</sup> Marriage is concentrated in these more educated (Ermisch & Murphy 2005), middle class and beleaguered sections of the population. To acknowledge the enduring value of this institution is to shore up marriage in its heartland. It also sends the signal to the lower deciles, characterised by greater informality and therefore instability, that marriage, to which many aspire (Edin & Kefalas 2005), is a social good.

Couples who get married are on average more committed and stable than those who cohabit but marriage also helps to cement relationships by altering the behaviour of those who get married<sup>55</sup> (ie. we are not just describing selection effects). Since marriage is a valuable social institution there is a strong case for supporting it. Politicians and other commentators dismissively refer back to the time when marriage was recognised in the tax system with the married couples' tax allowance (which is now available only for couples in which one of the part-

<sup>54</sup> Sunday Times Review, 5th March 2006.

<sup>55</sup> As *Fractured Families* states, on p127, 'Socio-economic selection effects undoubtedly account for part of the apparent benefits and protections afforded to married couples. But, as Wilson & Oswald (2005) demonstrate in their review of longitudinal studies, marriage brings with it a causal component that is not accounted for by socio-economic background factors.'



ners was born before 1935). They argue against the ability of a tax allowance to act as a support for marriage, on the grounds that family breakdown rose during the period over which the MCA was available to all married couples. However, using the MCA as a reference point for a positive tax treatment is flawed. That is because the allowance was never in reality much of a financial support for marriage *per se* since the same amount of money was also available under another name, as the additional personal allowance, for lone parents or cohabiting couples with dependent children. Therefore the MCA itself was only a genuine financial bonus to married couples *without* dependent children and potentially greatly limited in its effect.

There is a case for introducing a differently constituted married couples' tax allowance, both to acknowledge the interdependency that marriage represents and, for symbolic reasons, to indicate the social importance of marriage. Given what we say above, the group has considered measures other than the old MCA, such as a tax credit or a transferable tax allowance restricted to married couples. Again, this receives fuller treatment in the Appendix to this report.



Money talks

#### *Incoherence in the tax and benefit systems*

The tax and benefit system is incoherent and different parts operate according to radically different principles. For income tax purposes, the unit of taxation is the individual and, apart from one minor exception mentioned above, there is no tax allowance for family dependants such as children, non-working spouses or elderly relatives. To put it another way, adults who do no paid work but fulfil caring responsibilities, volunteer or otherwise serve their communities, are not entitled to a personal tax allowance. Given the contribution that many are making to the functioning of their own family, local community and therefore to the wider society, it is inequitable that this caring and community work is not acknowledged in the tax system.

In contrast, the unit of account in the welfare system is the family. For example, under income support, the personal adult allowance for a couple (£92.80) is considerably less than twice the allowance for a single person (£59.15, aged 25 or over). Likewise, the second adult element in the working family tax credit (£1,700) is identical to the lone parent element, despite the fact that it has to cover an additional adult. Such inconsistencies in the tax and benefit system have no logical justification and should be eliminated (see Appendix).

#### *Taxation of Married Couples*

In the vast majority of European countries,<sup>56</sup> (including Norway and Denmark) the tax system recognises the interdependence of husband and wife

<sup>56</sup> See Table of Family Taxation Systems in European OECD Countries at end of Appendix.

and makes allowance for the existence of spousal obligations. The form and generosity of these allowances varies from country to country. The taxation of couples can be divided into two main types: individual and joint. In this country, the unit of taxation is the individual and interdependence between spouses is almost entirely ignored. For tax purposes they are treated as totally separate individuals. This is an unusual system and in the rest of Europe the vast majority of people (93%) live in countries that make allowance for spousal obligations.<sup>57</sup> In some countries, such as the Netherlands and Italy, there are transferable tax allowances whereby an earning member of a couple can use the unused tax allowance of the non-tax paying partner. In other countries, such as France and Germany, an income splitting system is used whereby the income of all family members is pooled and then taxed according to a formula which takes into account the number and characteristics of family members. This system is normally to the advantage of families with non-taxpaying members or where there are big disparities in the earnings of family members. In most countries that operate this system it is not compulsory and individual taxation is available as an option for those who prefer it.

#### *Childcare*

This will receive further attention in the next chapter but as the benefits system includes childcare tax credit, it is important to mention it in this context. There

**According to the original Commission on Social Justice, 'Collective childcare provision should not be seen as a substitute for parenting but as a support for it and an enrichment of children's lives'**

Hewitt & Leach 1993:25

has been a massive extension of state-subsidised nurseries for younger children and in 'wrap-around' out-of-school and vacation care for older children.

These developments have

been justified as a means of enabling lone parents to work and to compensate for the deficits in nurture and stimulation experienced by some disadvantaged children. They also enable the second partner in a couple to work, so as to reduce poverty in couple families and to promote gender equality. There may be an argument for encouraging lone parents to work, in the interests of reducing child poverty and to make it clear that complete, long-term dependence on state support is no longer an option. However, there are also the interests of the children to consider, and in the next chapter we describe how parents often feel unduly constrained in their choices about the best form of care for children. The contested nature of the evidence of the benefits of formal care renders this lack of choice even more problematic.

Between the ages of 0 and 3, children may often be better off if they are cared for at home by a lone parent than brought up in a professional nursery. In the

<sup>57</sup> This has been calculated by referring to the taxation systems identified in tables S1 and S2 in OECD 2003 and using population figures from UN 2003. For further information see Appendix.

case of couple families, even those on low incomes, the case for encouraging both parents to work is weak when there are caring responsibilities, and in most cases there is no strong reason to favour professional nurseries over home care for young children. Ways of redressing the bias against informal care by close relatives are discussed in the next chapter.

*The welfare system and care in general eg. eldercare*

Carers of elderly and disabled people are not adequately resourced or recognised for the work they do. Carers UK told us that one in five carers is forced to give up employment to care and the trend towards downward social mobility of carers is concerning. For those who remain in employment the working culture of their organisations may not support eldercare and it can be very hard to manage work and caring responsibilities. Carers Allowance is granted to those providing over 35 hours a week of care to someone who is on middle or upper rate Disability Living Allowance or Attendance Allowance. It is a benefit payment of £48.65 a week. Carers are allowed to earn another £87 per week but benefit is completely withdrawn as soon as that figure is exceeded. The low level of Carer's Allowance discourages people from providing care to family members. It is one of the lowest forms of benefit available but it there is a high level of expectation in terms of work, in return.

Polling by YouGov (Apr-May 2007) indicates that 96% of people expressing an opinion agreed that giving extra support for people to care for elderly relatives would allow older people to stay in their homes for as long as possible and save the cost of providing care in an old people's home

*The need for fundamental reform*

After extensive consultation and reflection we have come to the conclusion that the tax and benefit system needs fundamental reform. The objectives of such a reform should include:

- Reduction of the couple penalty by providing more help to low income couples
- Support for marriage through more favourable treatment of married couples in the tax and benefit system
- Acknowledgement of family ties through a comprehensive system of tax allowances for dependent relatives, such as children, non-working spouses and elderly parents
- Elimination of the bias against informal childcare in the tax credit and benefit system

The end result of such a reform would be something like the present French tax system which is more coherent than our present system, is less biased against couples and makes comprehensive allowance for family ties. In seeking to eliminate

the bias against informal childcare, the reform would be following the example of Finland and Norway which provide generous financial support for the home care of children. Such a comprehensive reform would be complex and could not be achieved overnight. This is not least because of the need for a cultural change within many sectors of British industry. Flexible working has to become more acceptable, to the extent that many professions and occupations which currently have somewhat rigid career trajectories will be less 'forgiving of interruptions' (Hewlett 2002:73). If a parent is financially able to take time out of work but penalised in career terms (which usually curtails their future earning power) then this will prevent take-up of the measures we suggest. In the meantime, we recommend that the following first steps be taken:

#### *4.1 Raise the level of Carers Allowance to £90 a week*

The rationale for raising the UK's low level of Carers Allowance rests on the fact that this allowance, in reality, recompenses a very high level of work. The Economic Dependency paper (4.2.1: Fair Level of Support for those that truly



Carers should be adequately recognised for the work they do.

cannot work) describes the importance of active benefits and an underlying expectation in the system that there should be 'something for something'. This benefit already meets such a criterion. In addition, the carer is potentially saving the state the large amount of money which outsourced care would cost and that should be taken into account.<sup>58</sup> The UK lags behind other nations in supporting informal care. For example Ireland last year greatly increased its Carer's Allowance to £135 for one person being cared for and £200 for 2 people.

According to the Government tax credits site<sup>59</sup> if a single woman with no dependants aged 46, caring for her mother, received Carers Allowance at £2,529.80 per year and the figure was classed as a wage, she could claim an extra £2131.20 in Working Tax Credit per year. Adding these two figures together amounts to just under £90 per week. We are not recommending that Carers Allowance be officially classed as income and the additional amount applied for as the model above suggests. If that were the mechanism, any gains would be offset in low-income households by reductions in other tax credits because of the way in which elements in the benefits system interact. In a similar vein, for the doubling of the

<sup>58</sup> Carers UK (2002) estimated that carers saved the Government £57.4 bn per year - the same amount as NHS annual spend. This calculation is based on an hourly carer's rate of £9.95 per hour which takes into account the complex care needs most carers meet. eg. To provide physiotherapy services twice a day to a cystic fibrosis sufferer would cost £45 per hour, if provided externally. To estimate savings to the Government, even if carers were working only 35 hours a week (although many carers will commonly be caring for around 50 hours per week) at minimum wage (£5.35 per hour) each person cared for would cost just over £9000 per annum. If Carers Allowance was set at £90 per week the total cost per carer would be almost half, at £4,680 per annum. This is an overall saving of just over £4000 per carer, per year, totaling over £3 bn in savings for the 795,000 people that receive informal care today.

<sup>59</sup> <http://www.taxcredits.inlandrevenue.gov.uk/Qualify/EntitlementResults.aspx>

allowance to have an effect, an exemption would need to be made on the extra sum of money so it did not affect income/allowances on other claimed benefits such as Carers Premium. Finally, we are also recommending that allowable earnings be raised to £100 after which a taper is applied, rather than immediate loss of all allowance.

#### *Cost implications*

*The DWP suggests that 795 000 people have applied for Carers Allowance (although more are entitled to it), but at present 339 000 of those claim other types of benefit in preference (because of its low rate). Assuming that all 795 000 carers claimed the benefit, at the present rate of £48.65 per week the cost to the Government is £38,676,750 per week. If the level of Carers Allowance was increased to £90 a week, the cost to the Government is £71,550, 000 per week or an additional annual spend of £1.7bn per year. We place strong caveats on these figures however, as the DWP insist that it is impossible to predict how many more people would claim Carers Allowance if the benefit was raised (and who would swap from a different benefit to claim it.) However, significant savings are anticipated because informal care costs far less than state provision<sup>60</sup> and this would enable/encourage more people to provide it.*

## 4.2 Reduce the couple penalty<sup>61</sup>

by increasing the amount of tax credit or income support that couples get. We suggest that this could be done by enhancing the couple element in Working Tax Credit, which is currently identical to the amount a lone parent receives i.e. it makes no allowance for the presence and expense of an additional adult. This would reduce child poverty in intact low-income families. It would also reduce family breakdown by relieving the financial stress on low income couples and reducing the incentive to separate.

#### *Costs and criteria*

Currently a couple receive the same amount of working tax credit as a lone parent. The basic element paid to everyone who is entitled to receive Working Tax Credit is £1,730. As stated earlier an additional adult in the household receives £1700 on top, but if you are a lone parent you also receive another £1700. So a couple receives £3430 and a lone parent receives £3430. ie. there is, in reality, no allowance made for an additional adult. Rather than suggesting a reduction in the lone parent element we asked the Institute of Fiscal Studies to cost three different ways of reducing the couple penalty.

They told us that if we were to:

<sup>60</sup> For example, physiotherapy services provided twice a day to a cystic fibrosis sufferer would cost £45/hour.

<sup>61</sup> This receives fuller treatment in the Appendix to this report commissioned from independent experts in this field. Also see Economic Dependency Paper, Section 4.2.4: Avoid Benefit Traps That Discourage Two Parent Family Formation or Encourage Fraud

- 1 raise the couple (additional adult) element to 2 times the amount currently received by a lone parent, it would cost £5.9 bn<sup>62</sup> and 2.2 million couples with children would gain on average £51.57 per week (this cost includes a £0.2 bn saving on Housing Benefit and Council Tax Benefit because of the way tax credits and benefits interact).
- 2 raise the couple element to 1.5 times the amount currently received by a lone parent, it would cost £2.6bn and 1.8m couples with children would gain on average £28.25 a week.
- 3 raise the couple element so that the ratio of WTC for a couple as compared to a lone parent is the same as under the present income support system, this would cost £3 bn and 1.8m couples with children would gain on average £32.05 a week.

In the interests of consistency with other facets of the benefits system we would recommend option 3. To double the amount of working tax credit (option 1) does not take into account the fact that a couple living together experience economies of scale by virtue of so doing. In other words it overcompensates for the additional adult whereas Option 2 undercompensates or does not sufficiently take a second adult's cost of living into account. The ratio employed by the income support system (where a couple receives around 1.6 times that of a single adult) provides a more realistic figure. Moreover, the Joseph Rowntree Foundation (Brewer et al 2006) recommended that aligning the Working Tax Credit ratio for couples with that of income support as a necessary reform in order to reach the 2020 child poverty target.

If however a reduction in the couple penalty had to take place incrementally, over several budgets, the IFS have calculated that it would cost £1bn to increase the working tax credit for all couples with children by £780 per year (£15 a week).<sup>63</sup>

### 4.3 Transferable tax allowance for married couples (TPA)

according to criteria which would have to be established by an incoming government. Since marriage is such a valuable social institution we recommend

Our Apr-May 2007 YouGov polling indicated that of those expressing an opinion 80% agreed or strongly agreed that extra support for marriage should be given in the tax and benefits system, such as a MCA or transferable tax allowance

that an incoming government allow the transferring of tax allowances between married couples. (Also see Economic Dependency Paper, Section 4.2.1: Fair Level of Support for Those That Truly Cannot Work.)

We envisage that the TPA would be confined to married couples and not available to cohabiting couples. The allowance is intended to support the institution of

<sup>62</sup> All policies are expressed in 2007 prices but assume implementation in April 2008.

<sup>63</sup> See Ch 12 of IFS 2007, Brewer M., 'Supporting Couples with Children through the tax system'.



marriage because of its proven advantages to children and the wider society (for example, married couples play a key role in caring for elderly relatives). Marriage establishes a legal relationship of interdependence between the persons concerned. Statistics indicate that cohabitation is inherently less stable, so there is not the same justification for recognising it in the tax system. Neither is it a relationship of legal dependence, so extending the TPA to these couples would present significant practical difficulties for tax offices needing to ascertain the exact status of informal relationships (as countries like Sweden have discovered).

#### *Costs and criteria*

In response to a request from this group, the Institute for Fiscal Studies has estimated the cost of a transferable tax allowance according to different criteria. Their estimates assume that the allowance applies only at the basic rate of taxation, due to be 20% in April 2008, and is equal to the existing personal allowance (set at £5,225 for 2007/8).

The IFS has estimated that the option of a transferable allowance

- For all married couples would cost £3.2bn;
- For all married couples, but where only half the personal allowance was transferred, would cost £1.6bn<sup>64</sup> (if there were not sufficient funds initially. Such an option would allow an at-home spouse to earn around £2,500 before being liable for tax.<sup>65</sup>)
- For all married couples with dependent children or receiving Carers Allowance, would cost £1.5bn;
- Given only to married couples with children under 6 would cost £0.9bn

A TPA of the full personal allowance amount would provide only modest financial support for marriage - £20 a week to those making use of it – encouraging rather than incentivising it. The main rationale for the allowance would be to provide symbolic recognition of the institution of marriage. It would indicate that marriage is valued because of its benefits to children and the wider society. It would make it easier for a mother or father to remain at home to look after their children whilst the other spouse worked, or for one partner to do voluntary work within the community, look after elderly or disabled members or manage a home in a way that enables partners and families to have more undivided time together. We would thus see this as a measure with the potential to increase family stability and improve the quality of family life. (The table at the end of the report indicates how most European OECD countries have spousal tax allowances and income splitting, almost all of which have lower rates of family breakdown than the UK.)

<sup>64</sup> The 2008/09 cost of this year's tax credit package was £1.6 billion.

<sup>65</sup> Although this is not our recommendation, we acknowledge its benefits - the Equal Opportunities Commission drew our attention to the disincentive of a TPA for usually non-earning spouses earning a little extra money for the household, eg in the run up to Christmas. Not transferring the whole allowance would allow them to do this without having to pay tax on the first pound earned.



#### 4.4 Front-loading Child Benefit (see also Economic Dependency Report, 4.3: Direction of Policy Development: Front Loading of Child Benefit)

Labour MP Frank Field suggested that this be done by increasing the amount of child benefit for young children and reducing the amount parents receive when the same child is older. In other words, over the child's life-course parents would receive no more money in total but they could receive larger amounts of it eg.

**52% (of those expressing an opinion) agreed or strongly agreed that 'child benefits should be 'front-loaded', allowing parents the option of choosing to claim more of their child benefits at the early stages of childhood and at a lower rate when they are older**

YouGov poll for SJPG Apr-May 2007

during the pre-school or 0-3 years period, when children are most in need of informal care. This proposal would relieve the financial pressure that forces many mothers to work when they would prefer to stay at home (see next

chapter). It would also provide an opportunity to address deficits in nurture and care, by helping parents who are currently struggling to come to grips with the many demands of parenting, thus building stronger, more sustainable families.

##### *Conditions attached to receipt of front-loaded benefits*

We are not recommending 'testing' all parents and closely scrutinising family life. However, as we indicated in the section in this chapter on childcare, it is because of deficits in parental care that some disadvantaged children are entering nurseries. Therefore, there might be some concern that funds are effectively being provided which will encourage ill-equipped parents to look after their children themselves instead of entering paid work and placing their children in daycare. It is to address these concerns and the parenting deficits they are based on, that some conditionality would attach to the receipt of front-loaded child benefits.

**Our polling found that 88% of those expressing an opinion agreed or strongly agreed that 'there should be a requirement to attend parenting classes for those parents who social services believe are struggling to bring up their children' and slightly more (85% of those expressing an opinion) agreed that if parents receive money from the state to bring up their children they should be willing to attend classes if necessary**

YouGov poll for SJPG Apr-May 2007

Earlier in this report (Chapter 1) we emphasised the importance of intervention, where necessary, in the first three years of a child's life, for the sake of their life-long emotional (and physical) health. Regular cognitive and behavioural checks, routinely carried out on all children by a revitalised health

visiting profession, would identify those parents who need help to bond with and successfully raise their child such that they will be prepared, across a spectrum of measures, to enter school and be ready to learn.

When struggling parents are identified by health visitors, home visiting, parenting support and the other remedial services described in Chapter 1 would all be available. Receipt of front-loaded child benefit as described earlier, will be dependent on health visitors and other professionals being satisfied that infants and young

children are making the necessary developmental progress under the care of their parents. Where parents are unwilling to engage with parenting support services to address deficits, their access to the temporarily higher level of child benefit would be affected and eventually denied.

It is anticipated that only a very small percentage of parents will be required to take up these services in order to receive front-loaded child benefit. It cannot be overemphasised that this would not be a way of 'testing' all parents and intruding into their family lives. Most children present no concerns when current developmental checks are carried out but for those who do, it is not unreasonable that some expectation be placed upon their parents to address deficits which could have severe consequences for the rest of the child's life.

If this proposal were adopted we would want all parents to have the option of drawing down large monthly rates of child benefit in the early years. However, as the Economic Dependency Report indicates, if this is not possible in one budget, then we would recommend a phased process in which the initial focus is on those families who would benefit most from such a policy. The life chances of children who might otherwise be most at risk of lacking in nurture and quality parental care could be vastly improved by providing such a measure and linking it robustly to parenting support. We also recommend a detailed and thorough consideration of the future availability of

**YouGov polling (Apr-May 2007) showed that whereas 92% of those expressing an opinion agreed that parenting classes could be a great help to the minority of parents who are unable to cope with bringing up their children, an almost identical amount agreed that the state has no business telling parents how they should be bringing up children. This indicates that well-researched and evaluated programmes, delivered by the voluntary and community sector, rather than by social services, might receive a better public reception**

#### 4.5 Home Care Allowances

In the tax system, of the Norwegian or Finnish type which enable parents of young children to stay at home to look after them should also be considered. These, like the measure described above, acknowledge the importance of primary carers bonding with their children and being there for them in the early years, if that is their choice.

Both this measure and front-loaded child benefit raise complex incentive and implementation issues, as they could, for example, more easily facilitate un-partnered childbearing. However they cannot be dismissed on these grounds as effective elements in a system which recognises the importance of early years care and the need for parents to be able to choose how that care is delivered, as the next chapter indicates..

**The YouGov (Apr-May 2007) poll found that of those expressing an opinion, 76% agreed or strongly agreed that money should be available in the form of home care allowances or tax breaks in order to help one parent stay at home with young children if they want.**

## Chapter 5

### *Creating genuine choice for families in paid work and childcare*

#### *Introduction*

Getting lone parents and other benefit-dependent adults into work is a key part of any strategy to end child poverty. Moreover, although we emphasise the importance of nurture, especially in the first three years, as children become older it becomes increasingly important for them to understand the importance of at least one of their parents working. Most parents realise this and many lone mothers consider that ‘going out to work’ makes them a good role model for their children (Duncan 2003, Bryson et al 1999).

However, the need to work is complicated by the need for ‘high-quality affordable childcare’ - whether it is provided outside the home or by the parents themselves. It is very difficult for childcare to be both affordable and high-quality without significant government subsidies. The current cost of living (eg. high tax burden, housing and childcare costs) make it very difficult for many parents to manage working and child-rearing responsibilities.

The British Social Attitudes 23rd Survey (2007) concludes that more than eight

Little has changed since the original Commission on Social Justice said in 1993, ‘...wherever surveys have been carried out, almost all mothers - and many fathers as well, if they are also asked - express a preference for part-time or more flexible working hours ‘if only it were possible’ Social Justice, Children and Families

Hewitt & Leach 1993

out of 10 parents working full-time would like to spend more time with their family, up from under 75% in 1989. The survey finds that full and part-time employees, men and women alike, struggle to combine their jobs with family responsibilities. Although working hours have fallen

slightly for men, an increase in working hours for women means that, overall, the total hours worked in two-earner households have risen. At the same time, the pressures of work appear to be increasing, with both men and women expected to work harder.

Many of the organisations and individuals who gave evidence to the Commission noted this ‘time bind’ (which affects families across the socio-economic spectrum) but considered that the current government places too much emphasis on the value of paid work outside the home and too little on the value of care provided by at-home parents. Full Time Mothers<sup>66</sup> told us that

66 [www.fulltimemothers.org](http://www.fulltimemothers.org)

'bringing up children is not a job you can do effectively in spare time from work. Raising a family is a huge, difficult, exhausting, amorphous 20-year project – vital and rewarding though it is. Economic contributions are valued far above caring and social contributions but parenting as a full-time choice must be made more acceptable socially and less damaging financially.' It was the lack of perceived choice which was highlighted by most of the people we consulted. Individual families are being increasingly pushed towards dual and full-time earner models and formal, state-subsidised childcare receives more financial support and acknowledgement from the Government than informal and private/voluntary sector provision.

Hewitt and Leach also said 'Our emphasis on choice for parents as to how they wish to arrange the care of their children, and on their right to care for them personally if they wish, is rather different from the usual emphasis on childcare provision.....we believe that parents are generally the best judges of what their children and they themselves need...' (p24)

*According a proper place to informal (including parental) childcare*

Studies indicate the decisive influence of the quality of parenting on children's outcomes. However, despite the desire of many parents to give more priority to their children, present policy appears to focus on getting as many people into work as possible, regardless of caring responsibilities. There seems to be very little regard for a growing body of research which emphasises the importance of high-quality, loving, high-availability care in the first three years of life (Stern 1985, Schore 1994, Schore 2000). There is no doubt that some young children thrive in nurseries but studies indicate that a significant number are subjected to much mental stress (eg. Lamb et al 2004) and might be better off in a more informal care setting.

The present government is investing large sums of public money in childcare subsidies which must be spent on state-registered service-providers, and the Childcare Act 2006 has paved the way for 3,500 Children's Centres to spear-head affordable and accessible group day-care. Such initiatives are inconsistent with the well-documented preferences of parents and recent reports which indicate that almost a quarter of existing nursery places are empty.<sup>67</sup> Parents with young children are working more flexibly, taking longer maternity leave and the most popular form of childcare is that done by relatives and friends (chosen by 52% of working parents, although it has to be said that some of that preference is due to the higher cost of nurseries).

Since Children's Centres increasingly provide daycare for babies and very young children, it might be presumed that this huge political and social initiative is well-grounded in positive findings from developmental research.

67 Times, 2/5/07, 'Nurseries feel pinch as mothers stay at home'.

However Ahnert and Lamb (2004) state that 'A variety of family circumstances, multiple types of nonparental child care, and the complex effects of temperamental differences among children all ensure that child care in and of itself is unlikely to have clear universal effects, either positive or negative.' The research evidence suggests that the benefits of group child care are mixed at best and damaging at worst.

#### *The effects of group child care*

The biggest UK study into the effects of childcare, the 'Effective Provision of Pre-School Education' (EPPE, Sylva 2004) study followed 3000 children from age 3 to 7. Childcare for the under twos, especially if more than ten hours per week, was associated with slight increases in anti-social behaviour. Better quality childcare reduced bad behaviour but did not eliminate it. One Surestart nursery nurse said 'We can tell which children do long hours in the centre because their behaviour gets worse and worse throughout the day.

'Dry' children suddenly wet themselves three times in half an hour, they just become permanently tired and should really be at home. Despite our best efforts, many appear increasingly stressed. I love my job but I am not going to put my children in a nursery.' She admitted that some full-time places are paid for by the local authority because the mothers cannot cope but said 'Surely the answer is not to do the job for these mums but to give them the basic skills so that they can do it themselves. Often these mums have other children and another baby on the way, we have to think longer term. The problem is that increasing numbers of the parents



Child nursery centres

we see feel completely unfit for the task and think the nursery will do a better job. But we can't be there 24/7 and those deficits are going to emerge somewhere along the line.' Ahnert and Lamb (2003) make the same point that 'home remains the emotional center of children's lives and it is important that supportive parent-child relationships not be harmed by child care experiences.'

A new report on the biggest US study of childcare NICHD ECCRN (Belsky et al 2007), following 1,300 children through to their 12th birthday, shows that good quality childcare predicts better children's vocabulary but that group childcare predicts more behavioural problems. Both effects are relatively modest and 'non-clinical' and the study found that the quality of parenting was a more important factor for subsequent learning and behaviour.

Previous findings from this study had already shown that quality, quantity and type of childcare all have different effects on children. Quality boosts academic performance but does not affect behaviour. Quantity, and increases in quantity, boosts problem behaviour but does not affect academic performance. Amongst types, group childcare in particular boosts

academic performance but also boosts problem behaviour. But not all positive and negative ‘effects’ of childcare wear off over time. An unexpected earlier finding has been that ‘effects’ that had disappeared by age 5 had reappeared again at age 8. This new report showed that problem behaviours linked with longer experience of group childcare persisted all the way to age 12.

To summarise, these and other highly respected studies do contest the current emphasis on group day care and paid work outside the home. They state firstly, and most importantly, that children do best when they are given good quality parenting. Second, childcare can be good for children, provided it is only for a few hours a week and especially if the children are looked after by relatives. Third, group childcare in particular is linked to modest but persistent behavioural problems, especially where nursery hours are long, the quality is poor, and the child is under two. In conclusion, the effects of childcare are both mixed and modest. Ultimately, good quality parenting is what matters most but this is harder to achieve in the time famine which is so prevalent a feature of contemporary family life.

#### *A bias in the system*

Undoubtedly the system is biased away from informal care, such as has historically been provided by grandparents, other kin and trusted friends. It also discourages parents from working part-time or not at all for bounded periods of time whilst their children are small. Ideally professional childcare should be available for those who want to use it but the system must not penalise those who want to look after their own children. A balance has to be struck and a strong, culture-challenging signal sent, that for those who want to spend time at home looking after their children or a close relative there is room in the system for that choice as well as for the choice to work continuously.

As stated earlier, the commission received substantial evidence of the benefit to children of parental care in the early (first three) years. This is a contested area of research but the body of evidence about the importance of attachment and nurture for brain development is too significant to ignore when constructing national policy on this issue. Again the intention is not to coerce or prescribe a particular way of raising children but the Government must respect the desires of those who feel that their children need their care, and

In our YouGov (Apr-May 2007) poll, of those expressing an opinion 80% agreed that it is better for pre-school children to be looked after by a parent at home rather than by a childminder or day nursery, whereas only 29% of people agreed with the statement that we should be trying to encourage mothers to go back to work and contribute to the economy, rather than making it easier to stay at home.



recognise that this is supported by research and is not some kind of outmoded and reactionary view of the family.

It must be emphasised that our policies are in no way intended to discourage primary carer parents, usually the mother, from re-entering the workplace or coerce a return to tightly prescribed roles for mothers and fathers within the family. This is not the underlying reason for the proposed change in policy. What is being addressed is the lack of choice that either the mother or father (or carer of elderly parents) has, to be less engaged with the labour market at key points in the lifecycle of the family. Again, the aim is to take practical steps to strengthen the family.



*The role of grandmothers and other close relatives in childcare*

Research by Brown and Dench (2004) indicates the preference which many parents prefer have for informal care for their children. If for some reason, such as work, the parents cannot care for their children, the 'next best thing' is often seen as the care provided by a grandparent, usually a grandmother. However many grandmothers still have a job themselves and whilst they might be willing to cease work or reduce their hours in order to look after their grandchildren they can only receive payment by Childcare Tax Credit<sup>69</sup> if they (and their homes) pass muster with an OFSTED inspection. Grants are made available to help bring the structure of and equipment within homes up to the necessary standard but to receive the tax credit grandparents have to take on other children in addition to their own grandchildren.

This system discourages relatives, especially grandparents, from looking after children in a variety of different ways. Firstly, many find it a demeaning, intrusive and lengthy process to be subjected to OFSTED scrutiny when they normally have considerable experience with small children. Secondly, many have no wish to take on additional children. They are only interested in look after their own grandchildren and have no desire to become professional child minders. For those who do and who are looking after other people's children we are not suggesting a change. However we are recommending the following:

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<sup>69</sup> Although child minder rolls are falling and harnessing the willingness of grandparents and close relatives has been seen as one solution, their payment is precluded, a) unless they are registered and approved but also b) if the child/children is/are being looked over by a registered or approved relative in their own home and c) if a registered or approved child carer is providing childcare away from the child/children's home, but is only caring for a child/children they are related to. However, such family members are legally allowed to care for children (<http://www.taxcredits.inlandrevenue.gov.uk/Qualify/WhatAreTaxCredits.aspx> - a relative of a child means a parent, grandparent, aunt, uncle, brother or sister, whether by blood, half-blood, marriage or affinity.



### 5.1 A reduction in the current bias in the tax credit system against informal care

By allowing the use of childcare tax credit to pay close relatives albeit at a lower rate, (possibly set at 80%<sup>70</sup> of the new, higher rate of Carers Allowance recommended elsewhere in this document) if they are not registered child minders. This lower rate reflects the lower overheads that are involved in looking after the children in their own home or in that of the informal carer. We are aware of concerns about the potential this has to 'marketise' the family, but consider that as some grandparents are giving up work to care, family members are already trading off financial considerations between themselves and there has already been some implicit market penetration.

We discussed whether or not child protection considerations (such as the need for a Criminal Records Bureau check) should apply to informal care by close relatives where it is paid for at the lower rate of childcare tax credit. However we concluded that this would represent unwarranted state intrusion into family life and an unnecessary layer of bureaucracy. OFSTED state that you do not need to be a registered child minder if you are a close relative of the child you are looking after. Currently there is a big gap between who can legally look after your children and those who can be paid using government money for this purpose.

This is partly but not sufficiently explained by the need to avoid fraud. However, we question whether there are strong incentives to defraud the system. If a parent claims childcare tax credits to pay a relative or non-resident parent, and the money is not used for that purpose, the parent will still have to make some kind of alternative childcare arrangement. The need to find such an alternative will act as a disincentive to fraud and where fraud does occur the normal penalties would apply.

(We would also note that in an earlier chapter we recommended that serious consideration should be given to the introduction of home care allowances along the lines of what is currently available in Finland and Norway. We took evidence from other European nationals who described various ways in which their governments made it possible for one parent to stay at home within the first three years. For example, Germany legally guarantees that a mother can return to work after this period.)



<sup>70</sup> We took evidence which suggests that partial payment caps the amount that eg. a grandmother charges her daughter/in-law, as she knows that the final 20% must be found. Money would have to be applied for and acceptable hourly rates determined by government. This would prevent claimants from always applying for the full entitlement, regardless of actual hours worked.

*Cost implications*

*Allowing childcare tax credit to pay close relatives is likely to encourage an increase in demand. According to HMRC, 374,000 families claimed childcare element of working tax credit in 2006 at an average weekly cost of £49.80. A doubling of current take-up would cost an additional £1bn annually. The net cost of such a scheme would in reality be lower, even if particularly hard to quantify. Some savings would emerge as existing claimants switch from higher cost group childcare to lower cost childcare by relatives. Further savings emerge as relatives now receiving income from childcare see a consequent reduction in their own tax credits.*

## **5.2 Targeted assistance for parents who currently struggle to nurture their young children**

Such as therapeutic counselling for carers and their babies within the first two years of the baby's life (eg. that provided by organisations such as OXPIP). If parents decide to look after their own children, the *quality* of the care they provide is important. Stay-at-home parents who struggle to nurture their children, do not know how to stimulate their child, or have poor nutritional awareness etc. may do a 'worse' job than a day nursery.<sup>71</sup> However, research (Ahnert and Lamb 2004) indicates that if a child is not securely attached to a primary carer when he or she enters a nursery, say at one year old, then the stress of entering such a setting can send cortisol (stress hormone) levels soaring much higher than if he or she were securely attached.

Whether or not their children go to nursery, we cannot ignore the nurturing difficulties these parents are facing. Higher quality care does, of course, reduce negative results but cannot completely neutralise them. The best thing for a child in the very early years is secure attachment to a primary care-giver (Bowlby 1969, 1973), whether that is full-time at home or combined with some non-parental provision. That is not achieved in the current situation where children are entering childcare early *because* of nurturing deficits at home.

*User satisfaction with well-designed programmes*

Brown and Dench (2004) found that when low income young mothers were made more aware of child development and helped to relate to their children, their level of engagement in and enthusiasm for such programmes was high.

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<sup>71</sup> The 'home' group (300 children) in the EPPE study cited earlier were especially disadvantaged, making statistical control even more important when comparing their progress to children who attended pre-school.

Addressing parenting deficits rather than focusing solely on outsourcing care may produce greater relational health, improve a wide range of outcomes across and constitute an investment for the rest of parents' and their children's lives.

#### *Cost implications*

*Provision of additional parenting skills and knowledge can be provided both at home via health visitors and in the community via parenting education courses. These have been costed in Chapters 1 and 2.*

Although we have sought to make it easier for many parents to stay 'at home' with their children if that is their choice, equally we acknowledge that many households are currently dependent on the formal childcare sector which faces many challenges. We are also recommending:



### ***5.3 Removal of the bias towards state-provided childcare and acknowledgment of the current disadvantages faced by other providers in the childcare sector***

Our research (such as testimony from the National Day Nurseries Association) has highlighted the problems private, voluntary and independent (PVI) nurseries face when local authorities set up Children's Centres and when schools establish nurseries (eg. as part of their Extended Schools programme), in areas where PVI day nurseries already provide sufficient childcare to meet local needs.

When Children's Centres do not seek to form a partnership with local day nurseries but establish their own subsidised facilities instead, this can distort and flood the local market, reducing occupancy levels to the point at which existing day nurseries simply become unviable. However, some local authorities are opting for a partnership approach and these provide models of good practice which others can follow with regard to commissioning, integrating and planning early years service. (Children's Centres are not obliged to have day nursery facilities on site, although families are entitled to access a Centre's integrated services at a point nearby.)

The second issue affecting the viability of PVI day nurseries is the new code of practice on free entitlement. This entitles every three and four year old to 12.5 hours free nursery education, 38 weeks per year. Low income families, lone parents seeking part-time work or parents re-training to re-enter the job market find the free entitlement particularly useful in getting childcare support. Although day nurseries support this in principle, many local authorities

are purchasing free entitlement places from them at a rate substantially below the cost of providing the childcare.<sup>72</sup>

Providers cannot recover the shortfall by charging parents a top-up fee. Since 96% of three year olds and 100% of four year olds use the free entitlement, a high take-up produces a bigger funding gap. A growing number of day nurseries are faced with the choice of either withdrawing from the free entitlement scheme or gradually being forced to close. Both options disrupt continuity of care for children and deprive parents of choice and local facilities. If these (and other similar) issues are not resolved, the state will become the principal provider of childcare services. This will reduce choice for users, increase the burden on the state (as such services are highly subsidised) and further increase parents' dependency on the state. Commentators such as Jill Kirby describe the creeping 'nationalisation of childrearing' (Kirby 2006) and have criticised public policy which firstly privileges formal childcare and then privileges state-provided formal childcare as fundamentally and unacceptably biased.

#### *The distinctiveness of the PVI childcare sector*

PVI nurseries often have an established local presence and reputation and are important providers for parents of children with disabilities or learning difficulties. They have recommended to us that local authorities conduct rigorous audits and local sufficiency assessments before planning their own subsidised childcare; that local authorities, schools and good non-maintained providers work more closely together to ensure a cost-effective, coordinated and sustainable supply of childcare for local families (with greater incentives provided to encourage partnership between local authorities and PVI nurseries) and that local authorities' funding for free entitlement for three and four year old nursery education be ring-fenced and reflect the full cost of childcare. We support these recommendations but go further in recommending that

### ***5.4 Childcare should be located outside community-based Children's Centres wherever possible***

This would leave these Centres free to concentrate on delivering the kinds of services we have elaborate in the earlier chapters on community-based services for mental and relational health. It should be a priority for every local authority to do all it can to guarantee as much choice as possible within its geographical area, providing subsidised state childcare only where necessary to

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<sup>72</sup> Most local authorities buy free entitlement places at less than £4 per hour whereas providers' overheads demand that nurseries charge between £4.50 and £5.50, with costs rising where overheads are greater (eg. London and the South East).

meet local demand and not in competition with existing providers, such that well-performing nurseries are in danger of being priced out of business by subsidies.

#### *Cost implications*

*Although private sector childcare costs are readily available – typically £5-8,000 per year – it is not obvious how to tease out the equivalent costs from Children's Centres. The 2006 Surestart cost effectiveness review,<sup>73</sup> for example, reports that childcare comprises 18-21% of the £1,000 spent per child aged 0-4 in each catchment area. No details are available for how many children received childcare. However it seems highly unlikely that Children's Centre provision will prove cheaper than private sector provision. The cost of outsourcing childcare is therefore likely to be lower.*

### 5.5 Childcare and Disability

It is far harder for parents with disabled children to access childcare and services are usually charged at significantly higher rates due to the need for higher staff ratios or more specialised care (Dobson & Middleton 1998). Working tax credit makes some provision for disability but not enough to offset this kind of disparity. A survey of 350 families with a disabled child found that for 90% of families the costs of childcare were a major deterrent to work (Beresford 1995).

The National Audit Office found that only 10% of childminders, 41% of playgroups and 49% of day nurseries offer services for disabled children. The Every Disabled Child Matters campaign group describes the need for local authorities to commission services to stimulate the childcare market for disabled children, such as by subsidising the provision of disability training. In the light of this, and other evidence, we recommend that:

*The current disadvantages faced by parents accessing childcare for disabled children be alleviated*

by setting a higher rate of childcare tax credit (for children requiring specialist services or higher staff ratio care) and by requiring local authorities to take active steps to encourage greater provision eg. by providing subsidised training for private, voluntary and independent nurseries.

#### *Cost implications*

*According to Every Disabled Child Matters, parents of disabled children face a shortfall of £140 per week after offsetting allowances against actual childcare costs, compared to a shortfall of £26 for parents of non-disabled children. Only 16% of mothers with disabled children work compared to 61% of mothers more general-*

73 <http://www.ness.bbk.ac.uk/documents/synthesisReports/1287.pdf> accessed 27th May 2007

ly but these figures might go up if there were higher allowances. Narrowing the financial shortfall entirely and the difference in mothers working by half, for the 100,000 parents claiming higher disability allowance, would cost an additional £200m annually. Once again, net costs would be lower as the removal of a key disincentive to work decreases state dependency for many families.

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## Chapter 6

### *Supporting and encouraging family cohesion post-separation*

#### 6.0 Introduction

Although few would disagree with the dictum that prevention is better than cure, current policy suggests a pervasive view that family breakdown is inevitable and that efforts will be most fruitfully focused on alleviating difficulties post-separation. Elsewhere in this document we have tried to redress this emphasis, but we cannot ignore the very real difficulties which families face once they have broken down. There are significant financial issues to be resolved, most notably the payment of maintenance by the non-resident parent (usually the father) and we discuss here our views on the proposed Child Maintenance and Enforcement Commission. Undoubtedly parents and children also face serious emotional issues. We would hope many of these would be substantially relieved through the 'invitation' system and the Family Services Hubs recommended in Chapters 1 and 2. However, in addition new dispute resolution services are also needed to effect conciliation and mediation.



#### *Achieving payment compliance from non-resident parents*

In all western countries there are policies for ensuring that non-resident parents provide financial support for their children (Skinner et al 2007). In both Canada and the USA, penalties for non-compliance range from confiscation of the offender's driving licence or passport to imprisonment for more serious offenders. Many other countries use at least one of these methods. In Australia and Norway, an offender's passport may be confiscated, and imprisonment is used as a sanction in Belgium, New Zealand and Norway. In this country, penalties are comparatively weak and failure to pay child maintenance is not at present a criminal offence. A non-resident parent may be imprisoned for failing to provide information or knowingly providing false information, but not for refusing to pay.



The level of maintenance payments in this country is decided and enforced by the Child Support Agency (CSA), the agency set up in 1993 to replace the previous court-based system. The CSA is widely regarded as a bureaucratic and costly failure with only one in three lone parents receive any maintenance payment at all from the non-resident parent. However, evidence suggests that the effect of child support obligations is to reinforce existing couple relationships. Recent UK research finds strong evidence that the large child support liabilities, arising from the 1992 rules, significantly reduced the risk of separation (Walker & Zhu 2006). Indeed, the results are big enough to explain all of the approximately 15% fall in divorce rate for parents with dependent children that has occurred since 1992. The researchers believe this effect would have been much larger if the CSA had been more effective at achieving payment compliance from fathers.

The YouGov poll (Apr-May 2007) found that of those expressing an opinion, over 90% agreed or strongly agreed with the statement 'Fathers should be forced to take more responsibility for helping to bring up their children after separation or divorce' The same number of people agreed with the statement 'too many children suffer from not having a good male role model after family break-ups and courts should do all they can to ensure that children continue to have contact with their fathers'

A recent report by Sir David Henshaw recommended the abolition of the CSA and its replacement by a new body operating on different criteria (Henshaw 2006). Most his specific recommendations have been accepted by the Government and a completely new agency, the Child Maintenance and Enforcement Commission (C-MEC), is to be set up.

In response to Henshaw's report, the Government's objectives laid out in its recent White Paper (DWP 2006) are as follows:

- Help tackle child poverty by ensuring that more parents take responsibility for paying for their children and that more children benefit from this;
- Promote parental responsibility by encouraging and empowering parents to make their own maintenance arrangement wherever possible, but taking firm action - through a tough and effective enforcement regime - to enforce payment where necessary. The new enforcement measures include confiscation of passports and curfews on non-resident parents who do not meet their child support obligations and publishing, in suitable cases, the names of non-resident parents who are successfully prosecuted or who have a successful application made against them in court.<sup>74</sup> More intensive use will also be made of existing sanctions such as the removal of driving licences and imprisonment;

<sup>74</sup> We are concerned about the possible effects on children of having their non-resident parents publicly 'named and shamed'. It is our view that the other methods of enforcement are preferable to this and would probably act as a greater incentive to responsible payment.



- Provide a cost-effective and professional service that gets money flowing between parents in the most efficient way for the taxpayer and
- Be simple and transparent, providing an accessible, reliable and responsive service that is understood and accepted by parents and their advisers and is capable of being administered by staff.

In terms of our own recommendations we support these objectives especially some of their proposals for tougher enforcement (with the caveat expressed in the footnote below) but we would add the following:

- Discourage irresponsible behaviour, by ensuring that men cannot father children or walk out on their families without any cost to themselves (the same principle applies to mothers).
- Treat family breakdown (dissolution, dysfunction and dadlessness) as preventable and not inevitable occurrences.

Therefore, there are a number of points where we differ or where these proposals need to be complemented by other measures and we recommend that:

### *6.1 Judges be specifically encouraged to reinforce the importance of contact arrangements to separating parties*

We took evidence from several fathers and fathers' lobby groups who argued that the courts do not enforce contact obligations adequately. We are not in a

In our Apr-May 2007 YouGov poll over 90% of those expressing an opinion agreed with the statement 'Fathers are currently unfairly treated by the courts and not given the same rights as a matter of course as mothers are. Children should have the right to have both their natural parents involved in their upbringing following a family break-up and mothers and fathers should be treated equally.' Only 22% agreed that 'fathers have adequate access rights...the fathers involved in militant protests have often only lost access rights because of domestic violence and abuse' (38% said 'Don't know')

position to ascertain how common this is but would argue that such obligations should be enforced. We recommend that the Judicial Studies Board (responsible for the continuing education of judges) explicitly encourage judges to take a more 'hands-on' approach by stressing to parties the importance of abiding by arrangements, the possibility

of being held in contempt of court through non-compliance etc.

These same lobby groups raised further issues on contact, shared residency etc. Such issues touch on complex areas of the law. Whilst the views of the judiciary in this country on these areas are already changing to some extent, we recommend that the legal position of non-resident parents be considered as part of the legal review recommended in Chapter 7. (There are no significant cost implications for this proposal).

## 6.2 No nil rate

Under government proposals non-resident parents who are students in full-time education or whose income is less than £7 per week will have to pay no child maintenance. However we disagree with the concept of exemptions, as it undermines the general principle that every child's non-resident father or mother should have to pay something towards his or her upkeep. Students and all able-bodied persons who are unemployed should be willing and expected to do some kind of job in return for the money required to meet obligations to their children.

### *Cost implications*

*The small amount of payments is unlikely to affect tax credits or benefits in any meaningful way due to the current disregard of small maintenance payments (£10 per week and likely to increase). Therefore this policy is unlikely to cost or save the Exchequer a significant amount (excluding enforcement costs).*

## 6.3 Information and services to prevent subsequent breakdown

Henshaw also recommends that a redesigned CSA would act as a service provider, offering information, advice and signposting to other services and the need for a 'radical shift in business model, culture and efficiency.' Such an agency is uniquely placed not only to inform people about benefits but also about what they could do next time around to ensure that their future relationships stood a higher chance of success. It could dispassionately provide evidence of the likely instability of different forms of relationships and information about what makes relationships work and how they fall apart.

This could make a very big difference to the adults and children in these families. For example, a good stepdad or stepmum can make a huge difference to a child but one in four stepfamilies break down in the first year. Stability is crucial in determining whether or not stepfamilies enhance children's wellbeing but it may be hard to achieve when one or both partners has never really understood why their first relationship ended in the first place or if they are still deeply hurt from the fallout.

An emphasis on preventing serial family breakdown will require the kind of cultural shift we called for in *Fractured Families* which treats dissolution, dysfunction and dadlessness as preventable and not inevitable occurrences. The new C-MEC should be signposting clients towards services which can, for example, help fathers to be more involved and which can promote psychosocial wellbeing following the trauma of a family crisis. We would anticipate that local C-MEC services would work closely with the Family Services hub in their area.

YouGov polling (Apr-May 2007) showed that (of those expressing an opinion) 60% agreed or strongly agreed that prevention of family breakdown is possible and should get significant government funding

*Cost implications*

*Access to information and services to prevent future relationship breakdown will be provided through Family Services Hubs discussed in Chapter 1.*

## 6.4 Navigating the legal maze post-separation

Much of the direct cost of relationship breakdown to the UK tax payer (£20-24bn) is attributable or related to divorce and separation (eg. legal aid, protection against domestic violence etc). The post-separation services that do exist are both fragmented and uncoordinated, creating considerable additional stress for separating parents and a great waste of public funds. The present system for dealing with conflict resolution is unnecessarily over-reliant on the court service and the legal profession. A new approach is needed to successfully implement alternative dispute resolution services such as conciliation and mediation. We therefore recommend that there be:

*Improved access to justice for separating couples*

In October 2007 the present government will be implementing many of the reforms to public legal funding proposed within the Carter report.<sup>75</sup> Since the

“By 2010, don’t find yourself assaulted by a partner, don’t have matrimonial or domestic problems . . . because it’s very likely that no-one will be around to provide support”

Desmond Hudson Law Society Chief Executive: <sup>76</sup>

deadline for signing the new legal service contracts passed on 31st March this year we are now witnessing a significant withdrawal from the public sector by the legal profession, mainly because the new fee structures for Legal Aid, to be introduced under

the new contract in October 2007, cannot sustain many of them in business.<sup>76</sup> Thus there is a very real likelihood of a lack of access to justice for many, due to a reduction in legal services providers. According to family lawyers group, Resolution, ‘the proposals will downgrade the quality of work and restrict access to justice for the most vulnerable members of society.’<sup>77</sup> The proposals we make below will help to combat this problem by early intervention and alternative dispute resolution, avoiding the legal route altogether where possible.

*Family ‘Justice’ Centres*

Earlier in this report we have looked at Family Services Hubs which co-locate and coordinate community-based services. These hubs could also either sign-post people towards centres which provide a range of legal and quasi-legal

<sup>75</sup> <http://www.legalaidprocurementreview.gov.uk/publications.htm> accessed 26th May 2007

<sup>76</sup> According to the Law Society Gazette (August 2006), an early analysis of the new payment scheme indicates that solicitors will receive a 50% cut in their income and risk ‘decimating, if not destroying altogether, the practitioner base in the field of child law.’

<sup>77</sup> *ibid*

services or, depending on the size of the facility, house these services alongside other family support services.

We have been particularly exercised by the piloting and rollout of Family Relationship Centres (FRC's) in Australia and consider that this concept might be relevant and applicable in the British context.<sup>78</sup> Heralded as the Australian government's cornerstone for their new family law system, these centres are said to be 'a source of information and active support for families at all stages, including people starting relationships, those wanting to make their relationships stronger, those having relationship difficulties and those affected when families separate'. The Government have committed to setting up 65 new Family Relationship Centres across Australia, based upon one centre for every 300,000 of the population. 15 are already open, 25 are opening in 2007 and a further 25 in 2008. The CEO of Relationships Australia (New South Wales) told us that FRCs are being built on a significant foundation of existing relationship support which is not yet as well-developed in the UK, but the approach would stimulate increased capacity in this field of service provision.

The Family Services Hub we have described earlier could act as a Family Relationship Centre, similarly providing easy access to essential services under one roof in a supportive environment and acting as a gateway to other service providers. This co-location of resources would include mediation, marriage and relationship educators, counselors, advocates, social workers, housing providers, debt and welfare benefit advisors, legal services, police officers, children's crèche, medical and mental health services, faith group support and more. The 'co-location' of services in a central accessible location would reduce the many burdens upon the individuals involved, remove the problem of fragmentation, enhance the effectiveness, efficiency and accessibility of service providers, and minimise wasteful duplication of fixed and administrative costs.

#### *Overwhelming need for 'separation' services*

It has to be noted that although initial reports from Australia indicate strong public take-up, this is especially by people accessing separation services. Centres have been 'swamped' by demand for the latter, and resources have been somewhat diverted away from family support services as a result. When deciding how to organise the new required range of services delineated earlier, local authorities would have to consider the advantages and disadvantages of having support services and what might loosely be termed 'justice' services under one roof. Another alternative, and one with a clear British precedent, is to establish a centre similar to the Croydon Family Justice Centre which has been running since December 2005. This provides a location for over 20 statutory and com-

78 FRC's have the following principle roles; (i) help prevent family breakdown and strengthen intact relationships through the provision of marriage, relationship and parenting education, and signposting to other support services (ii) through early intervention initiatives, help parents work out post separation parenting and contact arrangements, avoiding the involvement of the court service and expensive legal professionals (iii) provide educational support to parents going through separation, helping them understand their children's needs and providing practical information about child support and welfare benefits (iv) help resolve ongoing conflicts and new difficulties that may arise as circumstances change (v) provide advice and assistance to grandparents, who so often occupy a crucial, pivotal and sometimes invidious role in family breakdown situations.

munity based organisations and mirrors a facility in San Diego which is arguably the most comprehensive centre in the US for victims of domestic violence in terms of centralised, coordinated multi-partnership services. The Croydon FJC is, however, limited to serving the victims of domestic violence. A similar model could be used for a much broader range of mediation and conciliation services, and a local authority might choose to locate the other, preventative family support services somewhere else. Crucially however, there would be coordination between service providers, facilitated by the Family Services Hub and signposting from one to the other, depending on need.<sup>78</sup>

The development of something akin to a Family Relationship Centre, designed to maximise and best utilise existing community-based provision (such as Children's Centres) would be a natural but hugely significant evolutionary change to the way in which families are supported in this country. It would shift the emphasis away from the often embittered, adversarial, expensive legal route and strengthen the family unit rather than just deal with the aftermath of breakdown. Such a scheme would represent a major investment in family life.

#### *Cost implications*

*If the concept of FRC's is adopted in principle, it is then proposed that a detailed study of the Australian model be undertaken, together with an appraisal of pilot locations in the UK and a fully detailed proposal with a budget for a pilot scheme produced. We can say at this stage that Australian Family Justice Centres are estimated to cost £42m per annum (A\$100m), for 65 centres covering a total population of about 20 million. This is about £645k per centre, with each centre catering for 300,000 people. Costings we have received from justice centres at home and abroad lead us to conclude that running costs of £450k per annum are realistic. Given these two figures we are, as a simple starting point, allowing £500k per centre.*

*Regarding numbers of centres, if we adopted the Australian population based model of one per 300,000 we would require about 175 centres in England and Wales for our population of 53 million. (The Croydon FJC covers a local authority area with a population of about 350,000 and thus is quite comparable on that basis.<sup>80</sup>) To complete the calculation at this stage, 175 centres at £500k per centre would require an operational budget of £100m per annum plus capital costs.*

*In terms of cost reductions, such a scheme would result, for example, in significant savings to the Legal Aid bill. The Legal Services Commission's gross figure for bills paid in Family proceedings in 2005/6 was £507, 488, 000 ie. More than half a billion pounds was spent in eight different areas including domestic violence, help with mediation, combined family proceedings etc. some of the work involved in which is currently being done in Australian Family Relationship Centres.*

<sup>79</sup> If this shift in dispute resolution methodology is accepted, it may be prudent to follow the Australian lead where the courts require a certificate indicating alternative dispute resolution has been sought before a legal application will be accepted. Publicly funded applications in England and Wales are already subject to this requirement, but it is not difficult to obtain the certificate in practice and it is not extended to privately funded applicants at present.

<sup>80</sup> There are, however, just under 400 local authorities in England alone, double the population-based calculation. Although local authorities will be the facilitators of these centres (as is the case in Croydon) an analysis of the distribution of population and land coverage of these local authorities would be necessary to assess the appropriateness of using them as a base for calculation of numbers of centres.

## Political and Legal aspects of family breakdown

### Chapter 7

### *Legal issues surrounding marriage and divorce, cohabitation, parental rights and the rights of the extended family.*

#### 7.0 Introduction

Our working group has considered the relationship between the law and family breakdown, covering the legal aspects of marriage, divorce, cohabitation, parental rights and the rights of the extended family. In terms of the latter, there is growing awareness of the need to look beyond the needs of the nuclear family, and to pay particular attention to the role of grandparents. The social, relational, cultural and religious domains that co-exist in our society present many complex considerations which will require attention if any law reform proposals are to have valid breadth and substance.



#### 7.1 Divorce reform

Divorce, with its frequently related issues of children and distribution of assets, is often one of life's most stressful, protracted and costly events. We have received evidence that our present divorce law itself contributes to family breakdown and contrary opinion that any effect is marginal. The debate whether divorce should be made harder or easier ranges across the following themes:

- That the concept of 'fault' should play a larger role in divorce. Others urge a contrary view and maintain that such issues should continue to be viewed as largely irrelevant;
- Calls for speedier divorces by mutual consent are contested by others who would impose more significant obstacles to slow the parties down or even dissuade them from divorce;
- Some feel there should not be any change at all on the basis that the law is working effectively and as intended. The perception for nearly 40 years is that the role of the courts is to crush the empty shell of a failed marriage

with the minimum of bitterness and the maximum of fairness, thus allowing the parties to move on in their lives. In many ways this is a laudable aim which it would be risky to challenge.

## 7.2 Cohabitation

Cohabitants and their children form a larger percentage than ever before of families in the UK today and any equalisation of statutory rights for cohabitants with married couples raises several important, complex and wide-ranging issues. The Law Commission has set up a specific reporting group to look at the financial hardship suffered by cohabitants, or their children, on the termination of their relationship by separation or death.<sup>81</sup>

The Law Commission consultation period closed at the end of September 2006, having received a large number of responses from members of the public, the legal profession, academics and groups representing a wide range of interests. Their report is due for publication in August 2007 when recommendations will be set out. We have concluded that it would be wrong to put forward proposals ahead of a report from such a distinguished body (after which point we obviously reserve the right to reply.)

In *Fractured Families*, we consistently highlighted the shift from marriage to cohabitation as a major force behind rising family breakdown. We therefore have considerable reservations about the negative implications of legal changes that further validate the fundamentally unstable status of cohabitation. Four issues in particular stand out, all of which suggest that better solutions may be found in non-legal policies.

### *Concerns about imposing rights and responsibilities on cohabitants*

There is a liberal argument that in a culture where living together without formal commitment is socially acceptable, people are caught up in these social norms and are badly protected by the law when relationships break down. In other words, the liberal approach is to accept that alternatives to marriage exist, not penalise in any way those who choose not to marry, and protect people from their ignorance about the fundamental differences between marriage and these alternatives. Our first point is, as we stated in *Fractured Families* (pp95-96), that it would be far more liberal to inform people about the legal and behavioural differences between these two statuses, rather than use the law to obfuscate these differences. In contrast to the deliberative process involved in marriage, cohabitation is more often typified by drift (Stanley, Rhoades et al

81 The project concentrates in particular on the following issues: (i) Whether cohabitants should have access to any remedies providing periodical payments, lump sums, or transfers of property from one party to the other when they separate. (ii) A review of the operation of existing remedies providing capital awards (such as lump sums and property transfers) for the benefit of children under the Children Act 1989. (iii) Whether, where a cohabitant dies without a will (intestate), the surviving partner should have automatic rights to inherit. (iv) A review of the Inheritance (Provision for Family and Dependents) Act 1975 as it applies to cohabitants and their dependent children. (v) Whether contracts between cohabitants, setting out how they will share their property in the event of the relationship ending, should be legally enforceable.



2006). The vital role of deliberation is a crucial omission in the Law Commission's otherwise comprehensive consultation paper.

Secondly, and following on from this, we should not lose sight of the fact that many people choose to cohabit precisely because they do not want to be hemmed in by rights and responsibilities. Imposing a contractual obligation on parties who have not freely entered into it is highly problematic and, paradoxically, illiberal. It will provide a strong disincentive to living together at all. Moreover, it will be very hard to determine whether or not cohabitation is actually taking place (as our earlier statements on incentives within the benefit system to claim separate residence show). The practicalities of establishing cohabitation are potentially very intrusive, necessitating checks on people's living arrangements which would make a mockery of the liberal intent of narrowing the gap between marriage and cohabitation. The way to avoid the need for such checks is by making the formal commitment of marriage. (Other countries, such as Sweden, who have granted such rights are accustomed to far higher levels of government intrusion which compulsory registration of cohabiting relationships entails.)

Thirdly, recent research reveals fundamental differences in the way men and women view commitment. Whilst women tend to commit on moving in, men tend to commit when they make clear decisions about their future (Rhoades et al 2006). Unmarried women may consider themselves better protected by a new law on cohabitation. However fathers may also consider themselves better off unmarried as they avoid the deliberative process associated with marriage, commitment and stability. The unintended consequence of a new law may turn out to be an acceleration in the trend away from marriage and a surge in the numbers of unmarried mothers and their children left high and dry by uncommitted fathers. If we want to encourage a high-commitment culture, it is counter-intuitive to make additional provisions, within the law, for lower forms of commitment.

Finally, some legal provision is already made for the children of cohabiting couples through Schedule 1 to the Children Act 1989. The Law Commission point out that few couples make use of such provision because either they 'do not seek legal advice' or 'it is possible that some advisors ... overlook the potential of Schedule 1 or consider it unsuitable for their clients circumstances.' (Law Commission (2006:16-17). Although this existing law protects children, albeit imperfectly, it is most likely underused because it does not also sufficiently protect (typically) mothers. (They may for example be allowed to live in the family home with their children until the children reach majority, after which point they currently may have no legal right to remain.) A proposed new law is likely to minimise the gap in financial rights of married and unmarried couples who separate. Whilst doing much to address perceived injustices, these proposals are not obviously compatible with a long-term national policy aimed at improving family stability by encouraging marriage and discouraging markedly more unstable cohabitation.

### 7.3 Parental responsibility, contact and residence

Increasingly, it is publicly acknowledged that there have been injustices for fathers who have not been able to have sufficient contact with their children for various reasons. Contact orders may well be made by the courts in favour of the parent without residence<sup>82</sup> but a breach of such order is not easy to remedy because draconian enforcement (such as imprisonment for contempt) can materially harm the children and their relationship with the absent parent.



Fathers can have an active role to play in childcare choices

We do detect that some, admittedly slow, progress is being made through the courts as the judiciary increasingly recognise the importance to the child of a father's influence. Certainly in the area of shared residence the courts are more inclined to making orders of this nature even if the sharing is rarely strictly equal (or sought to be such). We have much sympathy for the many parents who have given evidence, who consider that the current rate of change is too slow to improve their position whilst their children are young, but are unhappy to make an immediate recommendation.

### 7.4 The extended family

There is growing awareness of the importance of extended family members, especially of grandparents in today's 'beanpole' families.<sup>83</sup> What (very) little law there is on the subject is contested, with lobby groups perceiving there to be injustices in the current system. For example, if a grandparent wishes to make an application for contact with a grandchild, the Applicant will firstly need to obtain leave of the Court under Section 10(9) of the Children Act 1989 (unless they are exempt under Section 10(4) or 10(5)).

This two stage approach causes delay and upset to many grandparents, some of whom will have been very actively involved in their grandchildren's lives. (The legal route is frequently very bitter as grandparents tend to side with their own child upon breakdown.) If both parents are opposed to an application by the grandparent such application is unlikely to be successful. We recognise that some applications by grandparents for contact are used inappropriately as a back-door application to obtain contact for an absent father who has been refused contact. Another practical problem with grandparents' contact applications is that there are only so many free weekends for children, particularly once they reach a certain age, and if the parent without residence is having even adequate, let alone generous, contact there may be little additional time available.

We attach weight to the evidence that the parties who seem to manage contact issues more amicably are those who were directed towards compromise at

<sup>82</sup> The rights and responsibilities of non-resident parents are always carefully considered against the framework of the Children Act 1989 where the child's welfare remains the paramount consideration.

<sup>83</sup> The way generations in the family are connected by vertical links is sometimes characterised as the 'beanpole family' - long and thin. As family sizes shrink, the number of siblings and cousins will dwindle while the intergenerational relationships become more intense, presenting the state with particular challenges (Guardian September 25th 2004)

an early stage. We feel strongly that a collaborative approach that supports and encourages *early* mediation and conciliation between the grandparent and the parent with residence (which could be facilitated by the Centres described in the last chapter, see footnote on Australian FRC's) has a real prospect of producing better outcomes for the family. In so doing this will also relieving pressure and financial burden upon the court service.

The legal challenges outlined above have led many senior figures to conclude that a comprehensive review of family law is required. We therefore recommend that there be:

### *7.5 A dedicated independent commission to review these areas*

We have unanimously recognised that any attempt at wholesale reform of these topics is a subject beyond the immediate scope of this group. The range and sensitivities of the issues for consideration will require substantial additional time, research and expertise in order to produce well-founded and practical recommendations which are relevant to our culturally diverse society. A full review of family law concerning divorce, cohabitation and parental/extended family rights law would be welcomed by many and is probably overdue.<sup>84</sup> Accordingly, our recommendation is that an independent commission be set up for the purpose, possibly under the auspices of the Centre for Social Justice.

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## *Chapter 8 Family-centered policies at the heart of government*

### *8.0 Introduction*

The first ever government consultation paper on the family (HMSO 1998) stated that:

*'Families depend on government for services such as education, health, social services, and law and order. In almost everything that government does, we can help families, neglect them or even do them active harm. So it must be right for government to have a policy towards the family, to provide the best support that it can. This positive supporting role is needed now more than ever. And just as the strains on families have increased over the years, so the support provided to help families needs to change*

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<sup>84</sup> There have been earlier attempts to reform the law (predominantly the Family Law Act 1996) but even after a decade its partial implementation has not fulfilled the intention behind the legislation.

*too. Neither a 'back to basics fundamentalism', trying to turn back the clock, nor an 'anything goes' liberalism which denies the fact that how families behave affects us all, is credible any more'*

In this chapter we consider how local and central government can truly support the family within the parameters indicated above. It is far easier to avoid the former than the latter evil: it is deeply unfashionable and unrealistic to suggest that some 'golden age of the family' can be reclaimed but resisting 'anything goes' liberalism is an altogether greater challenge for government.

Despite the difficulties, it is however essential that the effort be expended to do just that. In her book *The Fragmenting Family*, the philosopher Brenda



Political focus should take a holistic family view. Iain Duncan Smith meeting families on the Brixton Moorlands Estate

Almond argues that 'the pursuit of individuals' best options, narrowly construed, has led to disharmony and a worse rather than better outcome for society as a whole. It is an outcome that leaves individuals exposed and alone in their personal lives and makes them subject to the control of government in critical areas of life that traditionally were family concerns.' We cannot overstate the extent to which we want strong families, fulfilling their essential functions with minimal state interference. However government cannot help but perform a strong signaling role. A government that fails to send the right signals about the importance of commitment and stability and, most

importantly, to back up those signals with necessary action cannot be said to be supportive of the family. We therefore recommend the following:

### *8.1 Cabinet-level political representation for the family*

We have been greatly exercised by one of the recommendations of the Laming Enquiry, set up after the Victoria Climbié tragedy, which states 'With the support of the Prime Minister, a ministerial Children and Families Board should be established at the heart of government. The Board should be chaired by a minister of Cabinet rank and should have ministerial representation from government departments concerned with the welfare of children and families' (Laming 2003: para 17.97).

The sentiment expressed in this recommendation is that the interests of families be represented at the heart of government. As a group we have considered whether or not the way to do this is by recommending that the current position of Minister for Children, Young People and Families be a cabinet-level post and renamed as Secretary of State for the Family.<sup>85</sup>

According to senior politicians with whom we have consulted, the current cabinet system doesn't support the championing of specific subject areas.

<sup>85</sup> It has been argued that this would necessitate the inclusion of education in the brief, but given the wide range of other ways in which the family is implicated in government considerations, which would more centrally belong to its remit, we dispute this.

Furthermore cross-cutting cabinet members historically fail because they struggle to get different Departments onside. The current Minister for Children, Young People and Families is not cabinet level but ‘... has overarching responsibility for children, young people and families policy and the Every Child Matters programme, including leading work across government and working closely with the new Social Exclusion Ministers.’

We presume that promotion to a cabinet-level post would not remove the disadvantages of cross-cutting. The logical alternative would be to have all family policy in one department. It is currently the case that family policy is spread between government departments such as the DfES, DCA, Home Office and Health. However, the concerns of an institution as central to society as the family are inherently and unavoidably cross-cutting and will therefore always be subject to the disadvantage already cited.

It is for this reason that we have considered other ways of ‘positioning’ family at the heart of government such as that suggested by Lord Laming above. We are recommending that as a first step, the current Domestic Affairs Cabinet Committee for Parents and Children be chaired by someone of cabinet rank (the current chair is the non-cabinet ranked Minister for Children, Young People and Families). Its remit should be extended to cover the couple relationship (if it does not do so already) and its name changed accordingly. Such a body would consider *inter alia* the likely impact on families of proposed policies directly or indirectly related to them, thus insuring that this institution at the heart of society is given due consideration when cabinet-level decisions are made.

## 8.2 Reinstate use of ‘marital status’ and related terms in government forms and statements

Official language is vital in sending signals to the public about government policy. In a decision buried in a government commentary on the civil partnership consultation process (Smith, 2003:41), the term ‘marital status’ was officially removed, without debate, from government forms. The implication of this policy to remove all official references to marriage is that marriage no longer matters.

The removal of this term from government forms was accompanied by the removal of marital status as an independent factor in government-sponsored research.<sup>86</sup> Yet a major study based on Millennium Cohort Study data, commissioned last year by this group, challenges the wisdom of this policy, by identifying the substantial gap in family stability between comparable married and unmarried couple parents (Benson, 2006).

We propose that government send a clear and unambiguous signal about marriage with the reinstatement and full public use of the term ‘*marital status*’

86 Research on the Families and Children Survey (FACS), commissioned by the Department of Work and Pensions, illustrates this well. Pre-2003 FACS studies differentiate a range of family outcomes by marital status. Post-2003 FACS studies conflate several distinct categories of marital status into the umbrella term ‘couple parent’ (see *Fractured Families*, pp30-31)

and associated terms ‘*husband*’, ‘*wife*’, ‘*spouse*’ and ‘*marriage*’. Where the word ‘*partner*’ currently appears in prominent official documents, such as tax returns, we propose replacement (where appropriate) with the term ‘*spouse or partner*’. This policy follows on naturally from our conclusions about the importance of marriage in *Fractured Families* and has minimal fiscal implications.

### 8.3 The compilation of local data on social cohesion

We propose the compilation of a new statistical index of family and social cohesion. The Government’s social exclusion unit lists eight reasons for social exclusion – unemployment, discrimination, poor skills, low incomes, poor housing, high crime, ill health and family breakdown. All of these reasons, with the exception of family breakdown, are well-represented in the indices of social exclusion compiled and published by the Office of National Statistics. These indices can be used to highlight status and progress of social exclusion within any individual local authority or ward.



Some fathers have experienced injustice under current laws.

There is no compelling reason why some suitable index of family breakdown is not present amongst these indicators and much reason to commend its addition. A new index of family and social cohesion will fill an obvious gap in the provision of local information on social exclusion, allowing both national and local government to target resources more appropriately towards the reduction and prevention of family breakdown. Such a measure is likely to facilitate and enhance local action from the voluntary sector.

The most obvious data for inclusion in a new index are marriages and divorces. These data are already collected and published on a national basis. However local registration procedures would need to be adjusted to collect postcode data in the same way as births or deaths. Other measures could include reported and repeat incidents of domestic violence, number of children in care and taken into care, births outside marriage and to lone mothers, incidences of truancy, incidences of sexually transmitted infections, number of registered drug addicts, number of homeless hostel occupants etc.

#### *Cost implications*

*Compilation of a new data series is likely to draw as much on existing resources as new ones. On top of the entire £172m Office of National Statistics budget for 2007-8, which is itself declining as a result of efficiency savings identified in the Gershon report, the new dataset is likely to cost around £1-3m.*

### 8.4 Robust local government support of relationship and parenting education

We propose that local authorities actively support relationship education in much the same way as the 2006 Respect Action Plan recommended that local



authority delivery of parenting provision be improved. This states that in October 2006 ‘guidance was issued by the DfES to local authorities and Children’s Trusts on delivering parenting support. By now all local authorities should have a single commissioner with responsibility for assessing need and co-ordinating delivery of services to parents.’ Amongst the new requirements and expectations on local authorities to improve planning, commissioning and funding of parenting services, was the need to ensure that every local authority has a senior ‘parents champion’ who will be the co-ordinating point for work across local agencies and ensure that all services for parents are a key part of Children and Young People’s Plans. Local authorities had until 31 March 2007 to apply for small DfES grants to help them put their strategic approach to parenting support into effect over the next few months.

Such a ‘champion’ should, we would stress, coordinate, facilitate and enable a diversity of service provision, rather than control, determine and restrict what is available. With these caveats we recommend either that such a senior ‘champion’ also be similarly responsible for relationship education (with the same degree of importance placed on that aspect of their role) or that another commissioner be employed who can focus exclusively on this new area. Such a person would act as a link between the national Marriage and Relationships Institute, local Family Services Hubs and the access points relevant to the relationship ‘invitation’ schemes. Similarly they, or the dedicated parenting services commissioner would be expected to engage fully with the parenting work carried out by the Family Services Hubs and the access points relevant to the parenting ‘invitation’ schemes.

#### *Local government acting as a facilitator*

Each of our nine proposed national ‘invitation’ schemes requires the connecting of service providers with people who are: getting married; having a baby; sending children to primary or secondary school; becoming lone parents; in prison; in the military and looking after children in care or with disabilities. With the exception of the military and prison schemes, all other schemes require some degree of cooperation from local government or their employees. It is intended that the emergence of the ‘invitation’ scheme, a new expanded role for Children’s Centres, new legislation for civil registrars, and the requirement to publish local data on social cohesion, provide sufficient impetus for local councils to support voluntary sector work in this area. Local government cooperation and support will add greatly to the likely impact of these schemes.

It is also intended that existing and new relationship education umbrella organisations – such as the National Couple Support Network, the National Association of Community Family Trusts, and Relate (Life Skills) – will flourish as a result of these new policies and see considerable growth in their work.

Civil registrars provide an excellent example of a key access point because of their contact with families at key life stages. Registrars are responsible for registering all births, marriages and deaths. Until recently, the vast majority of registrars have been unable to provide additional services beyond those required by their statutory obligations. However a tiny minority of registrars have voluntari-



ly taken the opportunity to promote marriage preparation courses when couples register for their wedding. Some registrars have been unwilling to provide even this service, citing time limitations. Under the 2007 Statistics and Registration

Service Bill, registrars will become direct employees of local authorities. For the first time, this gives local authorities both the power and the opportunity to require their registrars to publicise and promote relationship and parenting education programmes.

Local authorities can also facilitate access to people at key life stages through primary care trusts, primary and secondary schools, and social services. As stated in Chapter 1, the implications of this greater load on local authorities should be thoroughly thought through by an Implementation Working Party which would include appropriately senior members of the Local Government Association.



British housing stock is stretched and building land is at a premium

#### *Cost implications*

*As part of government guidance on parenting support, local authorities are encouraged to appoint local commissioners of parenting services. Appointment of a similar commissioner of relationship education services in each of the 312 local councils would amount to an additional £11m. In practice, local authorities may decide to combine the posts and may also be expected to finance the post from existing budgets. In turn, local authorities can expect significant reductions in future costs resulting from these preventative programmes.*

### **8.5 Using housing to promote security and independence for families**

The importance of housing as part of a wider support network for families is often underestimated. (We did, for example, receive submissions suggesting that closeness to extended family become a factor in the allocation of social housing (co-location). These received much attention from the group but eventually a decision was made not to recommend the measure because other categories of incoming tenants also have some grounds for preferential treatment, such as key workers performing essential services in the area). Yet, this ignores the real difficulties that many families, particularly on lower incomes or in vulnerable social groups, experience as a result of inadequate housing. At its worst, housing can preclude the effective operation of a family, act as a 'stress multiplier' and ultimately contribute to family breakdown.

Housing policy can help to strengthen and underpin healthy family life by:

- supporting aspiration and financial independence: permitting and actively supporting upward mobility which allows family members to achieve their economic and social potential
- offering guaranteed, suitable accommodation for vulnerable families: supporting the foundations of those experiencing significant personal,

- financial and social difficulties, until the time when they no longer need that support and subsidy from the state
- supporting flexibility within the provision of social housing: ensuring a flexibility in housing provision that responds to naturally changing circumstances as families grow and develop

We therefore make four recommendations:

*Investigation of the extension or pioneering of right-to-buy, rent-to-own and shared equity schemes to create asset-owning families*

Strong families are built upon financial and personal security. The right-to-buy legislation pioneered in the 1970s and 1980s transformed the lives of 1.6 million people in a generation.<sup>87</sup> As such, we strongly support the extension of right-to-buy, rent-to-own and shared equity schemes as a method of creating asset-owning families. We understand the rationale behind a reduction in recent years of right-to-buy discounts, in order to prevent the further reduction in scarce social housing stock. However, along with support for the most vulnerable in society, the social housing sector needs to be reconfigured once again to become a runway for financial and personal independence.

Creative means should be found for all social housing tenants to be able to build up capital within the property they occupy, irrespective of whether that be local authority or RSL accommodation (the 'rent-to-own' strategy), and ultimately to be able to purchase their own properties. RSLs could become enablers who view their housing stock as a dynamic and flexible tool to support families to achieve that independence.

By necessity, any relaunching of an attractive 'right-to-buy' policy must be governed by strict parameters. Proceeds from the (full or part) sale of properties must be ring-fenced for investment in new developments. On a local or regional level, social housing stock must retain or develop a range of housing types which can serve the most vulnerable members of society who are not yet ready to work towards financial and personal independence. We acknowledge that this may severely limit the application of 'right-to-buy' in areas of high demand.

One RSL told us 'If people prove to be good tenants, we would like to be able to develop new systems so that they could own a percentage of their property. But obviously we are concerned about what happens to other people when the stock diminishes. People definitely want this kind of choice, a helping hand to ownership. Government could certainly help by building more houses....'

*Reform of the current system of housing benefit (Also see Economic Dependency, 4.3: Direction of Policy Development)*

In order to reduce complexity in the system, we suggest that there be a significant rationalisation of services for families living in social housing. Our earlier proposals for Family Service Hubs could also assert coherence in this area by

87 <http://www.communities.gov.uk/index.asp?id=1151273> accessed 25th May 2007

either signposting people to the most appropriate providers of housing services or co-locating these with other support services described in previous chapters. Hubs might also act as a base for outreach to particularly vulnerable claimant families.

As the accompanying Economic Dependency report points out (4.1.6: Administrative Complexity, Housing Benefit), Local Housing Allowance Schemes currently being piloted have the potential to deliver a more simplified system. They also raise the possibility that the administration of housing benefit could be outsourced to local Jobseekers Allowance schemes, suggesting a more integrated approach which fits well with our own proposals.

Finally, our research has led us to conclude that the current payment of housing benefit in arrears by local authority can create significant problems for users. Changes in entitlements, which often take weeks to be properly determined, almost inevitably plunge accounts into further debt (and therefore result in the suspension of privileges, such as participation in the choice-based letting system). We suggest that whatever reforms are carried out, they incorporate a move towards debt settlements common in business for utility bills – payment in advance with a quarterly or annual adjustment (also see Debt Paper, Volume 6, Section 4.6: Reviewing the Benefits System and Social Fund).

#### *Cost implications*

*Much of what we suggest above implies integration with Family Services Hubs costed elsewhere and, as we come to no firm conclusions on Housing Benefit, we have not provided costings.*

#### *The introduction of flexibility into secured tenure in social housing*

Our research has led us to conclude that social housing policy could operate more effectively for vulnerable families. Currently a proportion of social housing is occupied by tenants who have gained sufficient financial security to no longer require subsidy from the state. A tendency towards under-occupation by older tenants whose families have ‘flown the nest’ also constitutes an inefficiency in housing distribution..

We believe that, ultimately, social housing properties offer the greatest benefit to society when supporting the most vulnerable members of society, or those with genuine need and therefore recommend that an incoming government consider, for new tenants only, more flexible tenancy arrangements and allow local authorities the option to request that tenants reconsider their housing arrangements if they demonstrably no longer require this kind of support and subsidy.

#### *A commitment to increasing ‘supported housing’ projects*

Vulnerable families are often unable to manage households and require support to move towards self-sufficiency. We believe it is important for some assessment to be made of a family’s needs when they enter the social housing sector, with finite resources divided accordingly. We have been

impressed by the work of providers such as Bromford Housing, who offer dedicated housing units eg. for young single parents and those receiving mental health services. The Working Group visited the Hadley Mews Young Family Scheme in Warwickshire<sup>88</sup> which aims to provide accommodation-based support to vulnerable young families between the ages of 16-25. Families can be a single parent or a couple with up to 2 pre-school children. Each family receives a tailored, realistic support programme to address their personal, social and educational development and is allocated a keyworker as they enter the project; a specified worker who meets with the family on a regular basis to discuss their support needs and to develop an action plan during their stay. Practical and emotional support is offered and the keyworker links families in to local services such as health visiting, schools, housing and various other agencies, where appropriate. The programme may include; positive parenting, life skills development, budgeting and tenancy management. Without such support, young parents can experience profound isolation and 'fail' in their tenancies, thus increasing the likelihood that they will be able to provide sufficient nurture and appropriate shelter for their infant children.

Hadley Mews can accommodate young families for up to 2 years therefore more schemes like this could be essential in an integrated set of policy proposals which aim to focus resources and attention on the very early years of a child's life. In the introduction to this report we mentioned research carried out by the Joseph Rowntree Foundation (Cater & Coleman 2006) on why vulnerable young people are more prone to have children very early. Many will enter parenting with significant emotional and developmental needs of their own. If these are addressed then their children have a strong chance of escaping the downward spiral of intergenerational disadvantage.

#### *Acknowledging the contribution of the community-based sector*

To maximise the contribution which small, community-based, voluntary sector providers can make in this area, will require a reconsideration of current reliance on market-based tendering in this area. A representative of one RSL, a large corporate housing organisation working in well over a dozen local authority areas, told us that he knew his provider was forcing smaller ones out of the market.

This concerned him because 'Vulnerable people will lose the very type of service that might be really good for them. Smaller providers are often those with track record, real expertise and local knowledge. They have more credibility with service users and there's greater trust. But it's a corporate, commissioning world. Very small housing associations find it hard to give such good value

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88 For an example see [http://www.bromford.co.uk/uploaded\\_images/Hadley%20%20Mews.pdf](http://www.bromford.co.uk/uploaded_images/Hadley%20%20Mews.pdf).

for money as big corporate providers who can better absorb costs, and are more able to meet tender requirements.' A lot of tender applications need insurance to cover £10 million, sight of accounts from the last 10 years etc and the scoring system employed makes it very hard for a small group to win contracts. Without redressing this balance somewhat, the groups who might be best placed to meet highly bespoke local needs will be increasingly forced out of business.

#### *Cost implications*

*In some local authorities there would be an additional capital cost in constructing accommodation for vulnerable families and an enduring cost of support. Typically, an accommodation scheme for vulnerable young parents costs in the region of £30,000 per annum (for a 9-unit scheme). The weekly cost of a support service per unit is therefore approximately £70 (£30k/52.2/9).<sup>89</sup> However this has to be offset against the complex costs of failed tenancy. For example, temporary hostel accommodation can cost between £300 and £450 per week, the cost of hospitalisation due to injuries sustained whilst being homeless can exceed £10,000 per episode and interaction with the criminal justice system has severe financial implications.<sup>90</sup> Also to be considered are costs associated with resettlement, drug and alcohol addiction, child protection services etc.*

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<sup>89</sup> Figures provided by large RSL. Rent and other service charges are separate and are based on the building costs etc and paid for out of housing benefits or from tenant's wages.

<sup>90</sup> All figures on the costs of homelessness from Bromford Housing Association

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## Section 5

# Conclusions

The Social Justice Policy Group has been deliberating and researching the issues contained in this volume and *Fractured Families* for eighteen months. Many of the lobbying groups and academics we met have been calling for the changes in policy direction we are recommending for over a decade or more. We have been concerned not to jump on any policy bandwagons and to shut our ears to the siren call of what seem to be the most immediate and pressing issues, but which may in reality prove to be merely passing concerns.

We have tried to take a step back and determine how the tide of family breakdown (dysfunction, dissolution and dad-lessness) might be turned in our generation – because this is not the work of one government, however long its term in office. This baton must be passed onto successive governments of different colours and thus have appeal and resonance across the usual political divides. The Family Breakdown Working Group was largely composed of academics and practitioners who were independent of any political party. Throughout the consultation process we tenaciously clung to the remit we were given from the outset that this was not to be a body of Conservative policies but a manifesto for stronger families throughout Britain. (Indeed we were repeatedly encouraged to develop just that by the Chairman, Iain Duncan Smith.) As such, and because we are convinced that all politicians have got the best interests of the nation's families at heart it is our belief that a new consensus can be build around the family which will gradually replace the contested discourse to which we have all grown accustomed.



Supporting families so they can thrive

### *Supporting people in all types of families*

In *Fractured Families* (p21) we stressed the need to avoid the usual polarisations, but also the usual evasions. In the real world policy cannot be morally neutral, and we said that

*'Although moralising (in the pejorative and judgemental sense) is to be avoided, committed relationships are essential for the social ecology of the*

*family, the community and the country, and families which are formed on the basis of these should therefore be encouraged.'*

However, our proposals do not promote marriage at the expense of single parents but include many measures which are intended to support people in all types of families, for example by better integrating them into the communities of which they are a part.

We do however argue against current fiscal policies which disadvantage couples because, financial considerations aside, lone parents rarely choose that status,<sup>91</sup> enjoy raising children on their own, or want their own children to become lone parents themselves. Children raised by two parents tend to do better across a whole range of variables as our earlier volume made clear, so it seems somewhat perverse for policy not to do all it can to support rather than penalise this family model.

### *Thinking beyond anti-social behaviour*

Dealing with family dysfunction requires an integrated and wide-reaching effort which is not merely focused on the small percentage of deeply problem-

The British public believes that family breakdown can be avoided. The YouGov poll conducted for the policy group (Apr-May 2007) indicated that (of those expressing an opinion) 60% believed that prevention of family breakdown is possible and should get significant government funding. Most of our proposals and especially those for relationship support and coordinated well-being, are designed to act on that belief and tackle the very roots of family breakdown.

atic families whose children receive ASBOs. Prevalence of mental health difficulties is considered by many to be the time bomb ticking away at the heart of the nation. It is for this reason that we have repeatedly stressed the need for policy to pay particular attention to the needs of our youngest citi-

zens, those in the first three years of life where the nurture of their parents is of prime importance. Many parents struggle to provide the many dimensions of nurture outlined in Chapter 1 and a minority are dangerously abusive, but the aspiration of almost every new parent is to be a good mum or dad.

Non-stigmatising programmes which intensively support them when their children are very tiny will help them to fulfil these aspirations and could transform the future social landscape. Such interventions will greatly increase the odds that their children grow up to be emotionally whole people who can form strong and lasting relationships. As the chairwoman of OXPIP<sup>92</sup> said to us,

91 People rarely aspire to being lone parents (in their survey MORI found that for nearly two thirds of adults their preferred lifestyle was being married with children with only 3% wanting to have children on their own (MORI Family and Marriage Poll, 14/3/99 representative quota sample of 805 adults).

92 An organisation which helps parents to bond with their children.



‘Marriage is the natural consequence of two adults being able to commit to each other because their own emotional development is secure and has given them the necessary confidence.’ It is for this reason that we have resisted incentivising marriage although our measures strongly encourage it. We must support an institution that can be so beneficial, but there is much preparatory work to be done to improve the relational health of the nation, especially in communities subject to multiple disadvantage.

### *Setting our sights on the long term*

To reiterate the point made earlier, we have attempted to set a course for policy that will take full effect after several years. Much of the benefit will be felt when we see a relational secure generation emerging in future years, although helping those who are already struggling with mental health and relational difficulties has to be just as much of a priority. Prevention is less easy to sell than cure but in the same way that environmental sustainability is an agenda that cannot wait, so too is the social sustainability agenda that we are proposing.

The implication of our proposals is that we need to see widespread cultural change. This will be necessary in local and national government if they are to prioritise prevention; in industry and the workplace if employers are to allow greater flexible working so that parents and carers can better manage other equally important responsibilities and in the service providing sectors, if they are to recognise the immense contribution which the voluntary sector could make in many areas currently dominated by professionals.

However, it is far easier to recommend that a cultural change take place than to effect it. Cultural change requires surfacing and challenging people’s deeply held assumptions about what should be prioritised in spending terms, what it means to be a good employee and how much trust should be placed in skilled and experienced lay people. They may not have a string of qualifications but may be better placed to offer transformational support to a despairing parent or to a couple whose marriage has seen better days.

Along with the other reports in this volume, we are recommending these policies to an incoming government who will make prevention their watchword, who will invest in the future and who will be rightly intolerant of our high rates of family breakdown. When our children are considered by UNICEF to be the most emotionally needy in the affluent countries of the world it is time to look beyond poverty targets, important as they are. We have to ask *why* communities with downward spirals of disadvantage also have such high rates of fatherlessness and dysfunction. The broken family with its broken lives can and must be rebuilt and we present these policies to further that aim.

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# Appendix: Supporting marriage and encouraging couples to come together

Tax and tax credit options:

*Summary of a paper by Leonard Beighton and Don Draper (independent policy advisers to CARE)*

- 1 We have been asked to advise on changes that could be made to the tax and tax credit system with the aim of supporting marriage and making it easier for couples to come together and stay together. The two principal options are enhanced tax credits for couple families and a tax allowance for married couples.<sup>94</sup>

## *Background*

### *Tax burden*

- 2 The problems families face result partly from the way income tax evolved between the 1960s and 1990s. During this period the tax burden<sup>95</sup> on low income families quadrupled. Even a family on average income saw its tax burden more than double.<sup>96</sup> There was no comparable increase for taxpayers without family responsibilities. Families came under strain and child poverty increased alarmingly. After netting-off tax credits, the direct tax burden on a single earner family on an average wage will still be over 20% in 2009.<sup>97</sup> This is certainly less than in the 1980s and 1990s but still more than twice what this family would have paid in the 1960s. It is substantially higher than in other OECD countries.<sup>98</sup>

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94 In this document references to marriage are to be taken as including civil partnerships.

95 Income tax and national insurance contributions net of child benefit.

96 Table 7 Family and Parenthood, Utting 1996, Joseph Rowntree Foundation.

97 Para 5.15 Budget 2007 HC 342

98 In the average OECD country in 2006, for a married one-earner couple with two children, income tax plus employee and social security contributions less cash benefits amounted to 15% of gross wage earnings in the average OECD country. In the UK the figure was 20%. See Chart 03 of Taxing Wages 2006 Edition OECD Paris 2007.

- 3 The UK tax system is unusual in that it now takes virtually no account of taxpayers' obligations to their spouses. By contrast most Europeans pay tax under systems that do take account of spousal obligations.<sup>99</sup> The most common system in other countries is some form of joint taxation, although separate taxation is available in most cases as an option for those who want it.
- 4 Tax credits do take some account of family responsibilities, the cost of raising children, but ignore spousal obligations. They were introduced primarily as a means of reducing child poverty in low income families<sup>100</sup> and they help to explain why child poverty has fallen. However, there are still 2.8 million children in poverty on a before housing cost basis (BHC) and 3.8 million on an after housing cost basis (AHC).<sup>101</sup> Sixty percent of children in poverty live in couple families. This percentage is increasing while the percentage of children in poverty living in lone parent families is reducing.<sup>102</sup> A couple family will typically have to earn three times as much as a comparable lone parent family to be above the poverty line.<sup>103</sup>
- 5 The reason why so many children in two parent families are still in poverty is that, while tax credits are based on family income, they do not take account of the living costs of all family members. No allowance is made for a second adult. The inevitable result is that a two-parent family will be poorer than a directly comparable lone-parent family.

#### *Couple penalty*

- 6 The current tax and benefit system not only fails to provide any support for marriage, it also penalises all couples – both married and unmarried. Many couples with combined incomes of less than £50,000 a year are worse-off financially if they live openly together than if they live-apart.
- 7 The 'couple penalty' arises principally because of the way in which tax credits, and to a lesser extent benefits, have been designed. As a result, couples with children may face a large drop in their combined income if they set-up home together even allowing for a saving in housing costs. The drop in their benefit income will not be replaced by the earnings of the new spouse or 'partner'.
- 8 The great majority of couples on low or modest incomes face a couple penalty. If one parent is in full-time paid work and the other is in part-time paid work or is not in paid work at all, then by living openly together they can lose between £1300 and £7000 in tax credits and out-of-work benefits. When the loss of other benefits is taken into account, the penalty

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99 A table summarising family taxation in European OECD countries is to be found in the full version of this paper available on the CARE website.

100 See table in the full paper on the CARE website.

101 HBAI 2005/06.

102 Table E5 HBAI Household Below Average Income 1994/95 -2005/06.

103 See full paper on CARE website.

can be as high as £8,500 for a family with an income of only £20,000.<sup>103</sup> It seems implausible that many people with comparatively low incomes will not take this figure into account in deciding how they should live. And there is some evidence to suggest that this is indeed the case.

### *Reducing the couple penalty and child poverty*

- 9 Both the couple penalty and child poverty could be reduced by increasing tax credits paid to couple families.
- 10 With the present structure of tax credits the child poverty targets are unlikely to be met at an acceptable cost.<sup>105</sup> A low cost option for meeting the targets would be to structure credits in the same way as income is adjusted for measuring poverty. In practice this would mean extra tax credits for couples.
- 11 Within the working tax credit (WTC) there is a 'couples element' and a 'lone parent element' but the amount of the credit is the same in each case. An enhanced credit for couple families could be delivered either through WTC<sup>106</sup> or as part of the child tax credit (CTC).
- 12 In other benefits the benefit is higher for a two-parent family than for a comparable single-parent family. It is tax credits which are out of line. Increasing the couple element in tax credits could be defended on the grounds that it was bringing tax credits into line with other benefits. Bringing credits fully into line with benefits would mean increasing the £3430 WTC couples currently receive to £5385 i.e. by £38 per week - costing £3 billion.<sup>107</sup>
- 13 This would substantially reduce, if not eliminate, the 'tax credit' couple penalty for many families with incomes of up to £20,000. There would still be a substantial penalty where housing benefit and council tax benefit are in payment and where the income exceeds £20,000. The couple penalty where both parents are on income support would not be affected.

### *Supporting marriage*

- 14 The only way marriage as such can be supported is through the tax system. One possibility would be to reinstate a Married Couples Allowance (MCA). An alternative would be to introduce a Transferable Personal Allowance (TPA). A MCA would benefit all married couples. A TPA would benefit only one-earner couples.

<sup>105</sup> The IFS have estimated the cost of meeting the 2010 target with present policies at £3.8 billion.

<sup>106</sup> It is not known whether in systems terms this is a single credit or two credits. If it is two separate credits, an additional amount for couples could probably be introduced quite quickly. If it is a single credit substantial reprogramming might be required.

<sup>107</sup> For income support, housing benefit and council tax benefit a lone parents' personal allowance is £59.15 and a couple's allowance is £92.80. IFS have said that the cost at 2007 prices would be £3 billion and that 1.8 million families would benefit on average by £32 per week.



- 15 When there was a MCA there was also a linked allowance of equal value – the Additional Personal Allowance (APA) – which was given to other taxpayers (lone parents and cohabiting couples as well as widows and widowers) with dependent children. Hence the MCA provided a tax incentive only for married couples without children. To provide significant financial support for marriage it would be necessary to reinstate the MCA without reinstating the APA.
- 16 There are a number of ways in which a TPA could be structured. The main options are:
- Applies to all married couples
  - Applies only to married couples with dependent children
  - Applies to married couples with dependent children below a chosen age
  - Applies to married couples with dependent children below a chosen age plus disabled children of any age
  - Applies as above but also where there is a dependent relative living with the claimant
  - It could be given at the basic rate only or at the higher rate if applicable

If the primary aim is to support and acknowledge legally binding committed relationships the TPA should cover as many married couples as possible.

- 17 The value of the £5225 allowance at the 2008/09 basic rate of 20% would be £1045 or just over £20 a week. If the spouse in paid work were a higher rate payer, then the transferred allowance would be worth twice that if it ran through to higher rate tax (which would be a question for decision).
- 18 The IFS has said that the cost of a basic rate only TPA for all married couples would be £3.2 billion, but only £1.5 billion if it were limited to couples with dependent children or receiving carers allowance and £0.9 billion if limited to children under 6<sup>108</sup>.
- 19 A parent-with-care who had chosen to transfer the personal allowance would obviously then pay tax on any earnings, however small. Some would see this as a disadvantage. On the other hand a TPA could be seen as a means of acknowledging for married couples the opportunity cost of child care provided at home
- 20 A £20 per week TPA would provide a modest financial support for marriage and it would also send a strong signal. It used to be argued that a TPA

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108 The 2008/09 cost of this year's tax credit package was £1.6 billion.



was regressive. This would not necessarily be the case especially now that almost all recipients would benefit equally.<sup>109</sup>

- 21 Although a TPA would not be targeted at child poverty or at reducing the couple penalty, it would reduce both. 570,000 of the 3.9 children in poverty (AHC)<sup>110</sup> are in single earner households<sup>111</sup> –the main beneficiaries of a TPA. The parents of 78% (445,000) of these children are married.<sup>112</sup> If all these children could be taken out of poverty, that would be more than twice as many as will be taken out by this year's Budget. When the self-employed are included the number could be as many as the Government has taken out since 1997/98.<sup>113</sup> For those couples able to use it, a £20 TPA would reduce the couple penalty by a greater amount than an enhanced couple credit costing a comparable amount.<sup>114</sup>

### *Combining both measures*

- 22 There is an argument for recognising that cohabitation is often the first step towards the more committed and more beneficial relationship of marriage. The present situation where couples feel that for financial reasons they cannot make even that first step is clearly unsatisfactory. If resources could be found, one option to think about would be a TPA combined with an enhanced credit for couples.<sup>115</sup> People would get the enhanced credit as soon as they made the commitment to live together officially and subsequently the TPA when they felt ready and able to make the more public and long term commitment which marriage implies. An enhanced tax credit for couples would paradoxically also benefit lone parents. Many lone parents are trapped in lone parenthood by the present system.
- 23 Distributional effects are measured on a household basis and either a TPA or an extra credit for couples would make for a fairer distribution of the tax burden not only between families and taxpayers without dependents but also between families.

109 A distributional analysis across working-age couples with children can be found on page 233 of the IFS Green Budget. This shows that even with a 10% tax rate (which will largely disappear next year) the poorest 50% of couples receive most of the benefit; those in the lowest three decile groups getting the greatest benefit.

110 BHC figure is 364,000.

111 Another 500,000 are in self employed couple households some of which will be 'single income' families.

112 Figure supplied to authors by the IFS.

113 Table 6 Poverty and Inequality 2007, IFS.

114 In the Green Budget 2007 the IFS said that increasing the WTC for all couples with children by £15 per week would have a similar 2006/07 cost as making the income tax personal allowance transferable for couples with children under 6 restricted to the 22% basic rate.

115 Cost of combining a TPA and a couples allowance is broadly the sum of the two proposals.

## Other issues

### Fraud

- 24 The couple penalty discourages cohabiting couples from being open with the authorities. It can be a short step from this to criminal fraud. It is no help to low income couples who may already be carrying debt to be tempted into a fraudulent arrangement and more debt. An enhanced tax credit for couples would keep some cohabiting couples from accepting tax credits to which they are not in law entitled. The IFS has pointed out that in 2004/05 the HMRC paid tax credits to 200,000 lone parents than live in the UK.<sup>116</sup>

### Maintenance payments

- 25 The Government is currently considering a proposal to disregard maintenance payments when calculating benefit entitlements – as they are already disregarded for tax credits. There is an argument for this, but it would discriminate against those parents who maintain children out of their own income – principally (but not exclusively) intact couple families. Some way would have to be found of restoring an element of balance. Either an enhanced credit for couples or a TPA could go some way towards meeting this need. Whether either would be an adequate response is open to some doubt. If a compensating couple credit were introduced, it would be essential that it should apply to all couples and not only to couples where both are in-work.

### Cost to Treasury

- 26 The present arrangements which discourage couples from setting-up home together involve a substantial cost to the Treasury. CARE has tentatively estimated this cost a £3-4 billion annually.<sup>117</sup> Reducing the couple penalty would reduce this cost.

### Free school meals and other passported benefits

- 27 Free school meals and healthy start vouchers are available to people who receive income support or CTC but not to those who receive WTC. The loss of such benefits when cohabitation begins may be a major reason why some couples decide to stay apart. In some cases the families who lose these benefits will be in poverty.

## Rebalancing income tax

- 28 An income tax system based on independent taxation and a cash transfer system based on joint family income do not sit comfortably together. The case for rationalising them will become increasingly compelling. Tax cred-

<sup>116</sup> IFS Briefing Note No 70.

<sup>117</sup> Restructuring Tax Credits CARE November 2006.

its need to be made less complicated and the circumstances in which over-payments can arise need to be further reduced and if possible eliminated. Major changes to either system cannot be made quickly. The policy options discussed in this note could be seen as interim measures to bridge the gap before more fundamental changes can be made.

### Administrative issues

- 29 Administrative issues shape any decision. These would probably become apparent only after coming into office. If, for example, the lead time for the introduction of a TPA were much longer than the introduction of an enhanced credit for couples, or vice versa, this might influence the final decision.

*Leonard Beighton & Don Draper 26th May 2007*

**Table:** Tax Treatment of Married Couples in European OECD Countries  
(Weighted by population in 2003)

| Individual Taxation:<br>No Recognition of<br>Spousal Obligations |                        | Individual Taxation:<br>Transferable Spousal<br>Tax Allowances/Credits |              | Joint Taxation of Married Couples |              |
|--|------------------------|--|--------------|-----------------------------------|--------------|
| Country  | Population             | Country  | Population   | Country                           | Population   |
| Finland  | 5.2                    | Austria  | 8.1          | Belgium                           | 10.3*        |
| Greece   | 11.0                   | Czech Republic   | 10.2         | France                            | 60.1         |
| Hungary  | 9.9                    | Denmark  | 5.4          | Germany                           | 82.5*        |
| Sweden   | 8.9                    | Iceland  | 0.3          | Luxembourg                        | 0.5          |
| UK   | 59.3                   | Italy  | 57.4         | Ireland                           | 4.0*         |
|  |                        | Netherlands  | 16.1         | Norway                            | 4.5†*        |
|  |                        | Slovakia   | 5.4          | Poland                            | 38.6*        |
|  |                        | Spain  | 41.1         | Portugal                          | 10.1*        |
|  |                        |  |              | Switzerland                       | 7.2          |
| <b>Total<br/>(excl. UK)</b>                                      | <b>94.2<br/>(34.9)</b> | <b>Total</b>   | <b>158.9</b> | <b>Total</b>                      | <b>202.8</b> |

Source: Taxation systems from *Taxing Wages: 2001-2002*, OECD, Paris, 2003 tables S1, S2; population from *World Population 2002*, United Nations Population Division, New York, 2003

Notes: this table refers only to the taxation of earnings, other forms of income are excluded; in some countries registered cohabiting couples are taxed in the same way as married couples.

\* = individual assessment is available as an option.

† = The report OECD (2003) states that the tax unit in Norway is individual; however, it also states that when a 'spouse has no income or low income, optional taxation as a couple is more favourable.' Norway is therefore classified in this table as a country with joint taxation of married couples.