



Child's right to see an absent father: Law to help millions from broken homes

- **Government to draw up radical changes to the 1989 Children's Act**
- **£10m will be pledged to help couples settle out of court**
- **Figures show one in five children lose contact with a parent after separation**

Millions of children from broken homes are to be granted new rights to a 'full and continuing relationship' with both their parents.

The move is designed to ensure that the parent who leaves the family home – most commonly the father – cannot be cut out of their children's lives following an acrimonious separation.

Ministers have decided that a change in the law is vital in the face of heartbreaking evidence that huge numbers of youngsters whose families split up lose contact with one parent for ever.



Ministers decided a change in the law is vital to prevent youngsters whose families split up from losing contact with a parent





Deputy Prime Minister Nick Clegg and Justice Secretary Kenneth Clarke have been at odds over the proposals

Courts will be put under a duty to ensure that unless their welfare is threatened by staying in touch with either their mother or father, children have an 'equal right to a proper relationship with both'.

Work and Pensions Secretary Iain Duncan Smith and Deputy Prime Minister Nick Clegg have dismissed objections from Justice Secretary Kenneth Clarke and overturned the findings of a major review of family law which was published last year.

On Monday, the Government will announce a ministerial working group that will draw up radical changes to the 1989 Children Act.

The Act states that the child's needs come first in law courts, but campaigners for fathers' rights complain that judges repeatedly pander to the idea that mothers are 'more important' than fathers.

Unmarried fathers say they are often at a particular disadvantage, having to apply for a 'parental responsibility order' through a court or have one granted through an agreement with the mother.

'The Act is going to be rewritten,' said a Government source. 'The welfare of children must of course remain paramount – but alongside that there will be an equal right for a child to have a proper relationship with both parents.'



Children's Minister Tim Loughton (right) said courts are 'rarely the best place' for resolving conflicts between parents about the care of children

'There should be no inbuilt legal bias towards the father or mother, and where there are no welfare issues, we want to see this principle reinforced through law.'

'This is about children. We want to be clear that both parents should have a full and continuing role in their children's life after a separation.'

Ministers will pledge £10million for mediation services to encourage more couples to settle their disputes out of court.

Children's Minister Tim Loughton told the Mail: 'The courts are rarely the best place for resolving private disputes about the care of children. That's why we want to see greater use of mediation to solve parental disputes out of court.'



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'It is also right that we continue to encourage fathers to take responsibility as equal parents and to be fully involved with their children from the outset.'

The decision overturns the main finding of a family justice review, conducted for the Ministry of Justice by businessman David Norgrove, which was published in November.

It concluded that giving fathers shared or equal time, or even the right to maintain a meaningful relationship with their children, 'would do more harm than good'.

The proposals immediately sparked a Cabinet revolt, led by Mr Duncan Smith and Mr Clegg, who insisted that the law must be amended to strengthen fathers' rights.

Official figures show that one in five children from broken homes lose touch with their absent parent, usually their father, within three years and never see them again.