



**The OnlyMums & Dads
National Family Law Survey September 2019**

A Response to The President's Review
of the Child Arrangements Programme.



With thanks to the Family Law Company and Stowe Family Law
for their generous support with this survey.

Introduction

When Sir Andrew McFarlane, President of the Family Law Division proposed a review of the Child Arrangements Programme (CAP) and its operation and reconvened The Private Law Working Group we decided to take the opportunity to ask the OnlyMums/ OnlyDads community (professionals as well as parents) what they thought should be the priorities for reform as we receive constant feedback about such matters.

We took note of the questions asked in the President's consultation in Appendices 3 and 12 and identified those questions which we consistently hear raised as matters of concern. They are not "yes or no" type questions; rather we asked those taking the survey to indicate whether they should be considered as:

Low Priority, Desirable, High Priority, Most Important.

We also offered space for those completing the survey to say more about why they had prioritised a particular answer and a final reflective question allowing people to say more 'In your experience are there any other areas of family law and the court process that could be improved?' (these responses are not included - see below).

Our aim in carrying out this survey is to help and support the Private Law Working Group in their important work. We hope this is achieved by offering a grassroots response to some of the issues they are having to consider.

Process

The survey was open between September 5 and September 23, 2019.

We consulted widely before deciding on the final questions posed in this survey. Consultation involved both parents who were going through or had been through family courts and Resolution member solicitors and mediators.

We are grateful to our partners in this project, Stowe Family Law and The Family Law Company whose generosity and expertise supported our work.

Audience

The survey was disseminated firstly through our websites and various social media platforms. We engaged with the many family organisations and professionals that we work with to share with their own communities. These include:

Members of our Family Law Panel (all members of Resolution).

Mumsnet, The Fawcett Society, Women's Aid, SODA, DadPack, Resolution, The Bristol Grandparents Support Group, NFM, NACCC, Parent's Voice, Dads Rock, Dr Sue Whitcombe, Mike Flinn, Adele Ballantyne, Sarah Philimore, Parent's Voice, Mr Colin Riches, Tracy Allison. Tracey McMahon, Dads Unlimited.

A personal note from Rebecca Giraud/Bob Greig

There were many notable things that came up throughout this process including the generous level of support we received in sharing the survey (see above). The number of responses exceeded our expectations, the content of those responses reflected how important this topic is.

We noted that responses to three questions in particular indicated a strength of widespread concern suggesting a need for reform that are of particular importance to the parents and professionals we have worked with over the years:

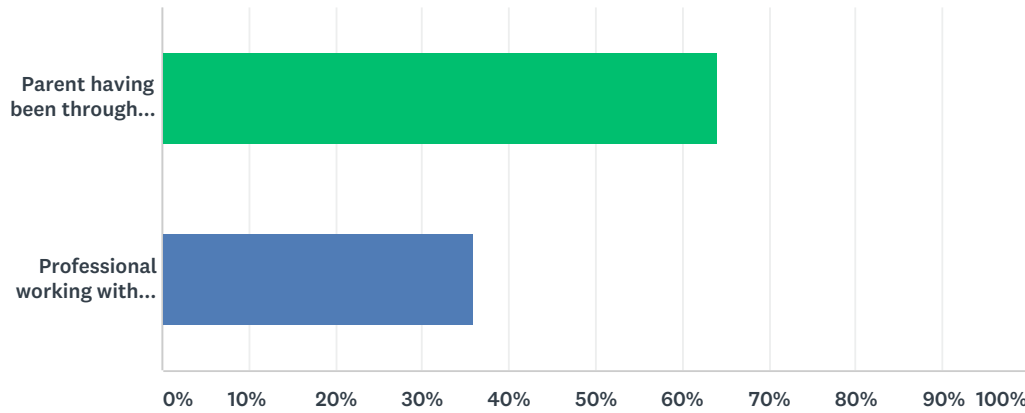
- 'Imposing tougher consequences on those who break court orders' had 87.0% of respondents calling it a 'high priority' or 'most important'.
- 'Tougher consequences for false accusations in court' had 85.39% of respondents indicating that this was at least a 'high priority'.
- We have heard the call for better practical arrangements, so separate waiting rooms for victims of domestic abuse and other vulnerable court users since we launched OnlyMums & Dads 12 years ago. We were not surprised at the 50.86% of respondents who marked this 'most important'.

Perhaps what struck us more than anything else was the time, genuine concern, sense of importance and volume of additional content that respondents have sent us. To that end we are looking to engage with a university to help us analyse this content. Once completed we will then disseminate in a full report.

Rebecca Giraud & Bob Greig, September 2019

Q1 Family Law Reform - Are you:

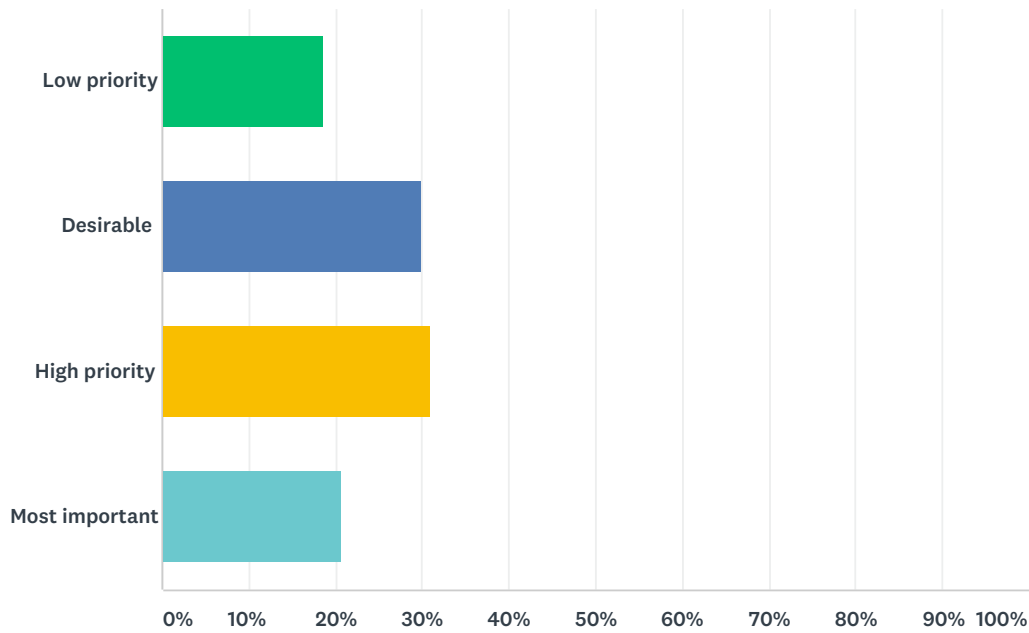
Answered: 566 Skipped: 16



ANSWER CHOICES	RESPONSES	
Parent having been through separation/divorce	63.96%	362
Professional working with separation/divorce	36.04%	204
TOTAL		566

Q2 There should be more information available on mediation and how it can help

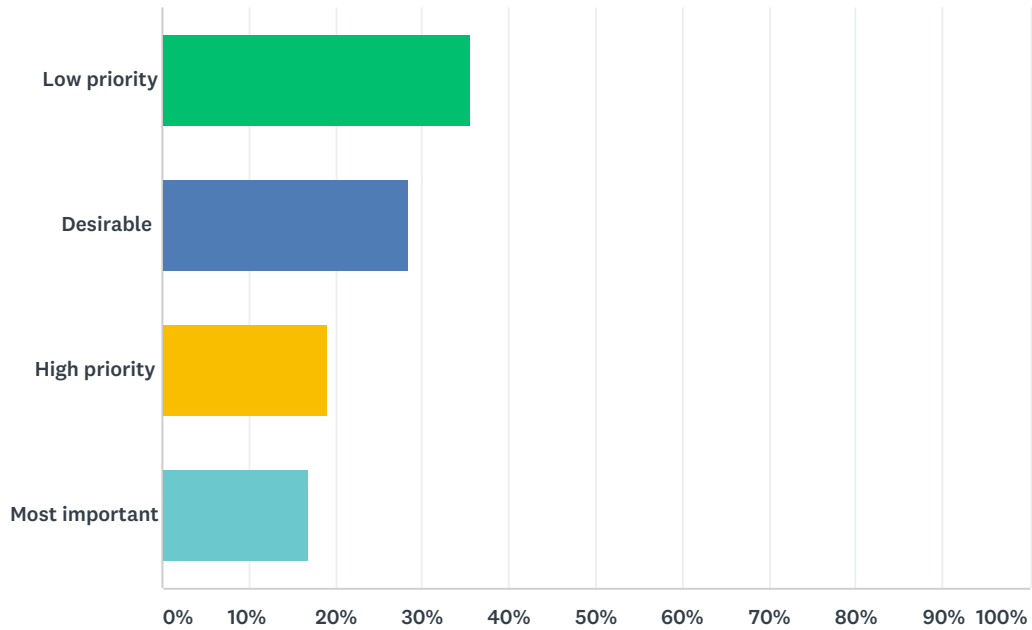
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	18.56%	108
Desirable	29.90%	174
High priority	30.93%	180
Most important	20.62%	120
TOTAL		582

Q3 Should mediation be made compulsory

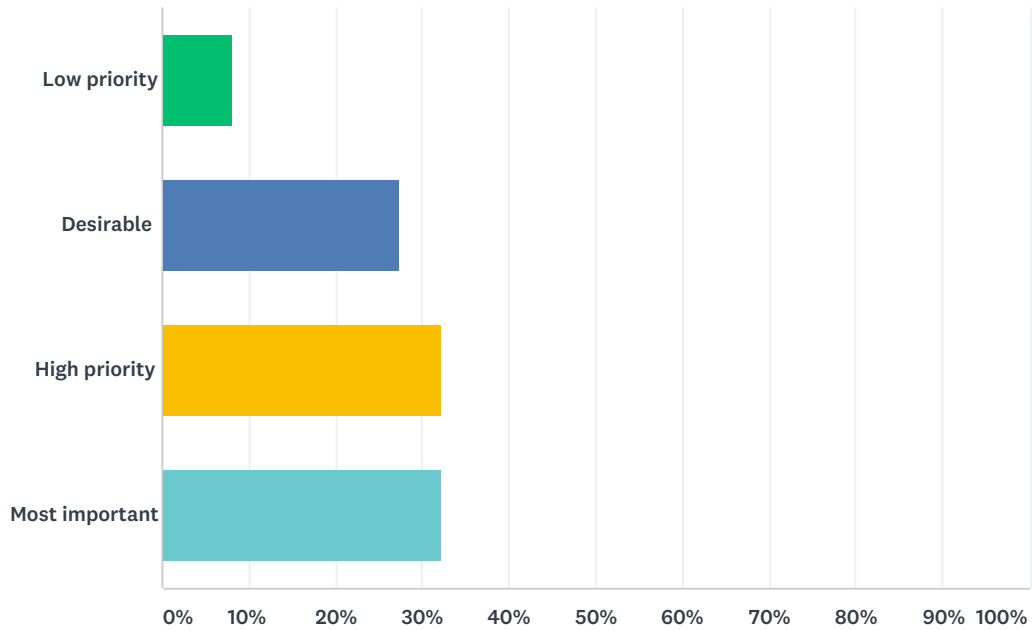
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	35.57%	207
Desirable	28.35%	165
High priority	19.07%	111
Most important	17.01%	99
TOTAL		582

Q4 There should be more child-centred mediation

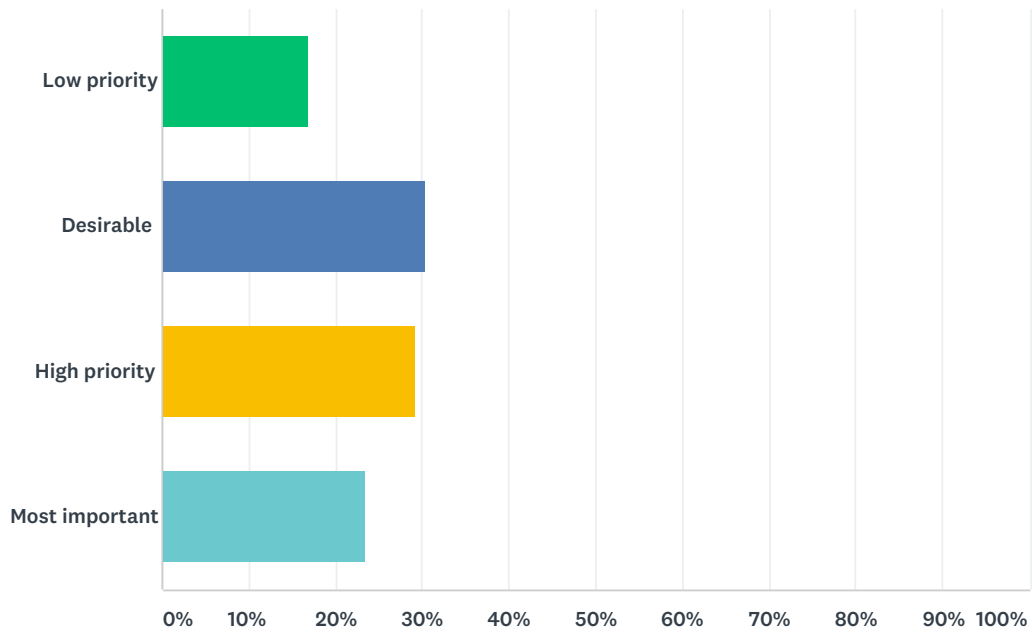
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	8.25%	48
Desirable	27.32%	159
High priority	32.30%	188
Most important	32.13%	187
TOTAL		582

Q5 Greater encouragement to look at mediation options throughout the process rather than just at the start?

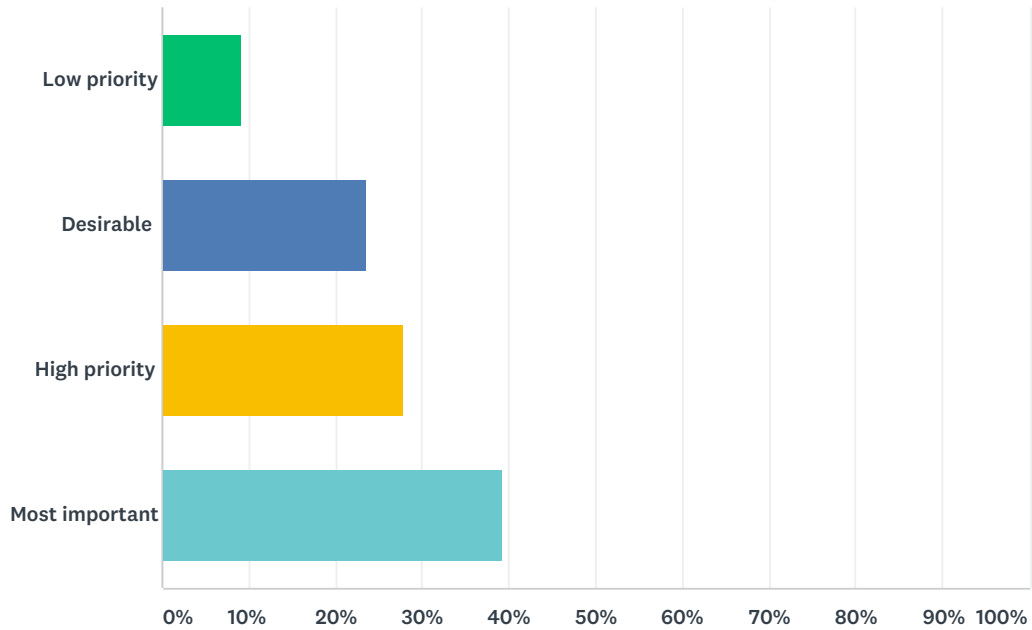
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	17.01%	99
Desirable	30.41%	177
High priority	29.21%	170
Most important	23.37%	136
TOTAL		582

Q6 The role of Cafcass should be reviewed

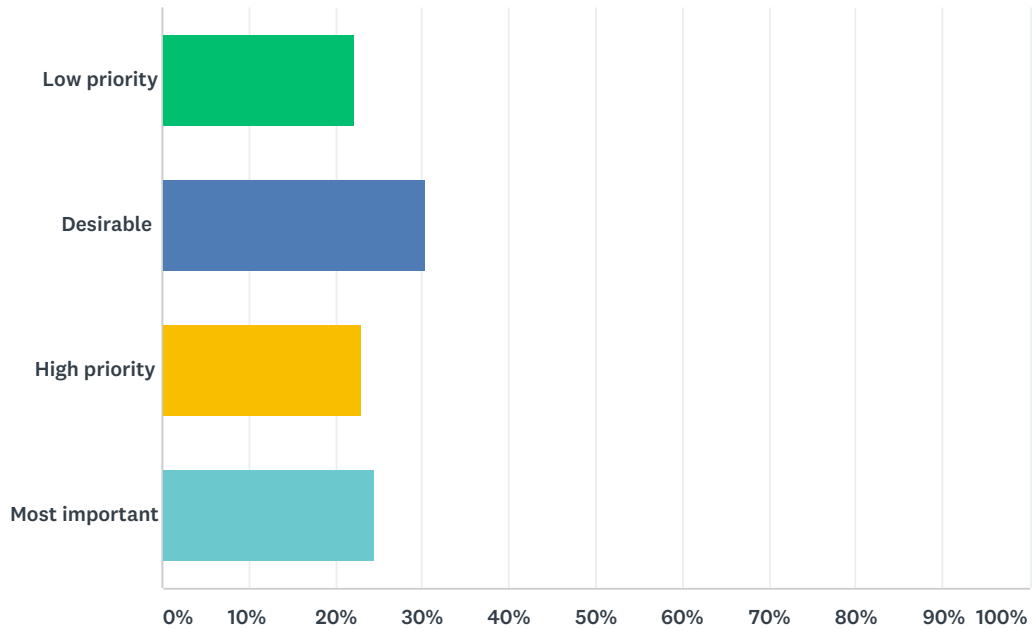
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	9.11%	53
Desirable	23.71%	138
High priority	27.84%	162
Most important	39.35%	229
TOTAL		582

Q7 Children should get to speak to the judge directly

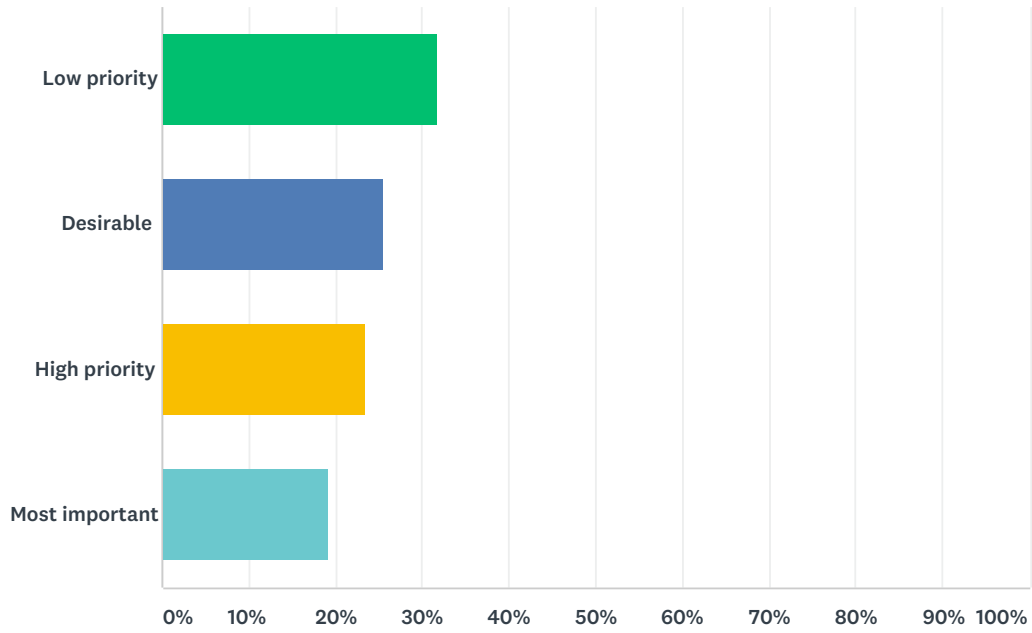
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	22.16%	129
Desirable	30.41%	177
High priority	23.02%	134
Most important	24.40%	142
TOTAL		582

Q8 There should be a restriction on the number of times a case can go to court

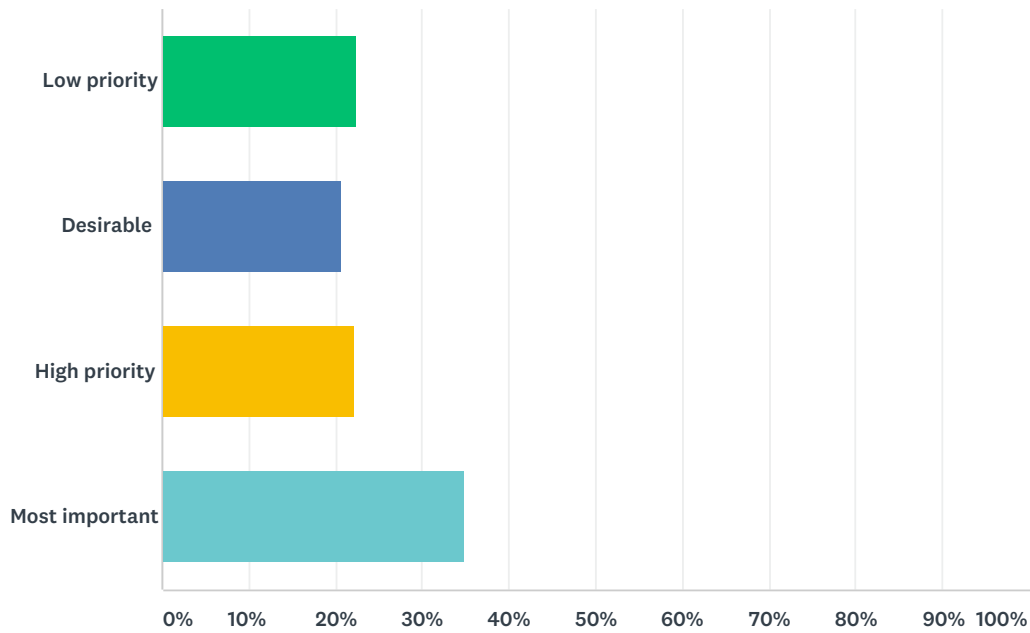
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ANSWER CHOICES	RESPONSES	
Low priority	31.79%	185
Desirable	25.60%	149
High priority	23.37%	136
Most important	19.24%	112
TOTAL		582

Q9 The perceived bias against fathers in family courts should be addressed

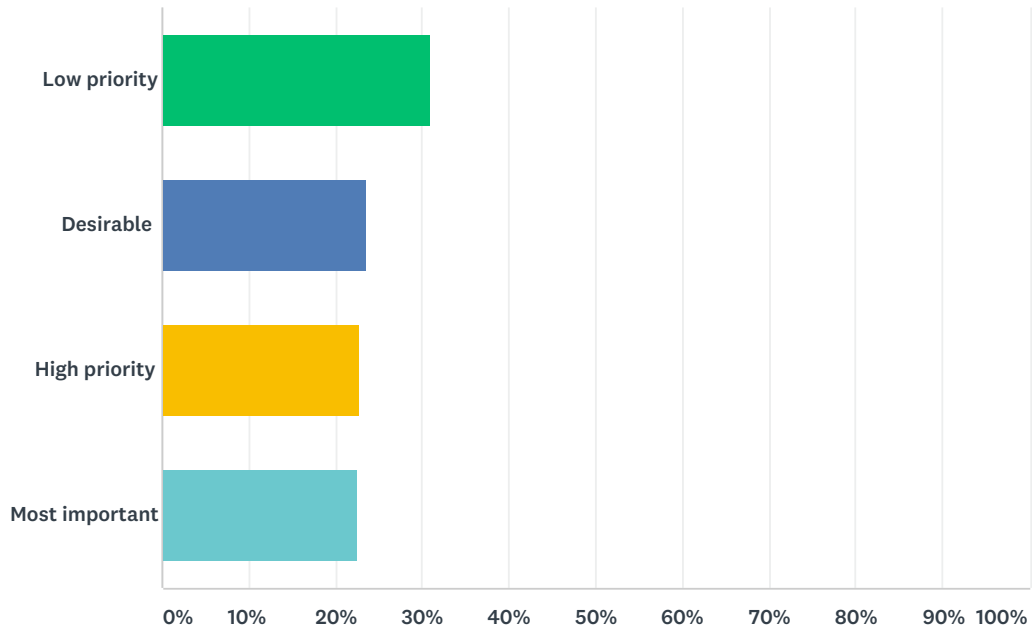
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ANSWER CHOICES	RESPONSES	
Low priority	22.34%	130
Desirable	20.62%	120
High priority	22.16%	129
Most important	34.88%	203
TOTAL		582

Q10 The perceived bias against mothers should be addressed

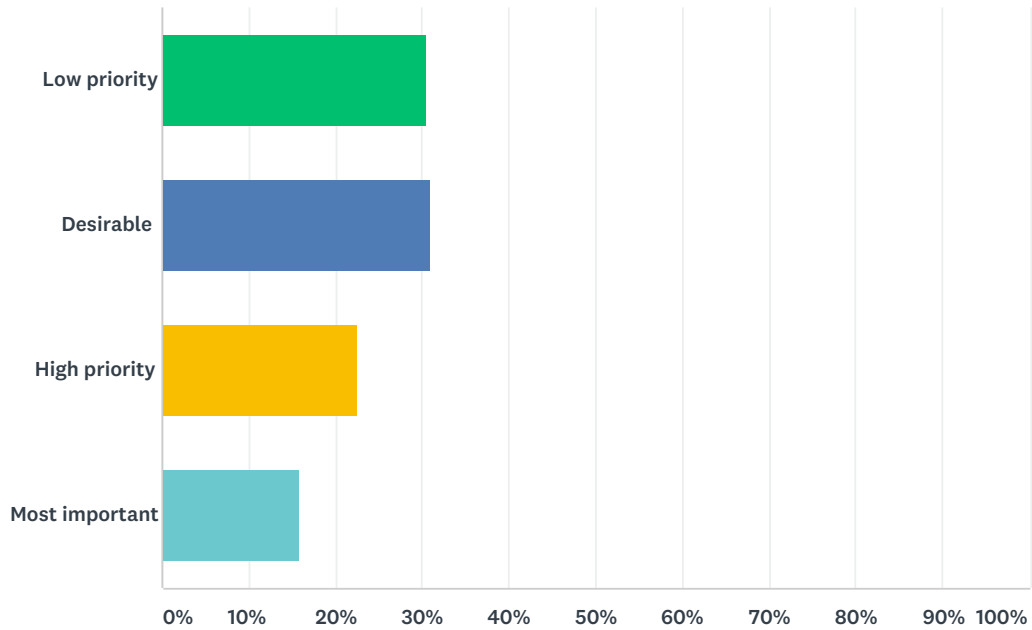
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	30.93%	180
Desirable	23.54%	137
High priority	22.85%	133
Most important	22.68%	132
TOTAL		582

Q11 Grandparents need more of a voice in family court proceedings

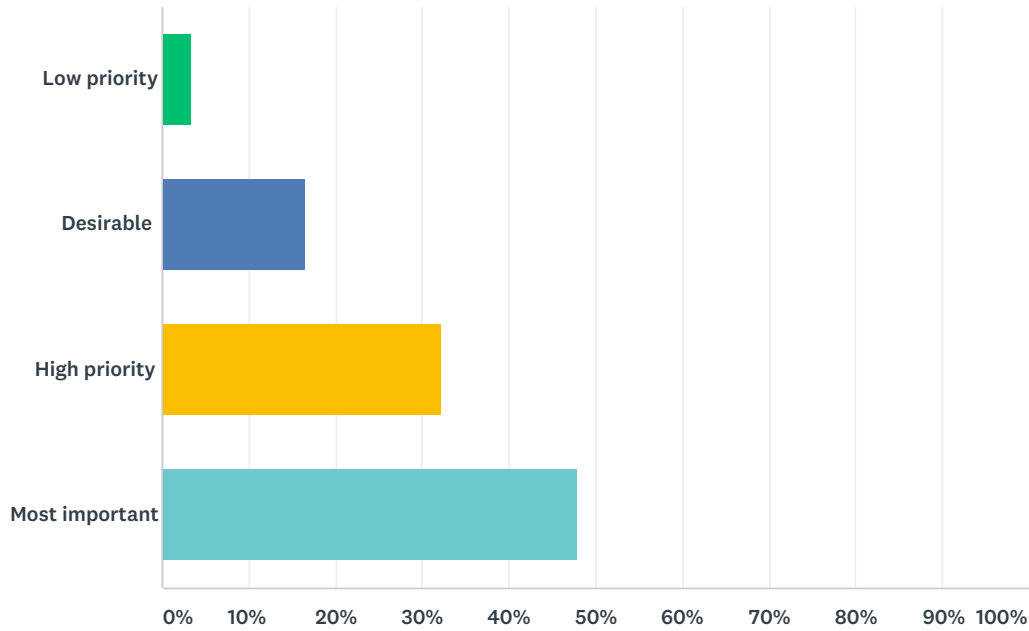
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	30.58%	178
Desirable	30.93%	180
High priority	22.51%	131
Most important	15.98%	93
TOTAL		582

Q12 There should be tougher consequences for those who break court orders

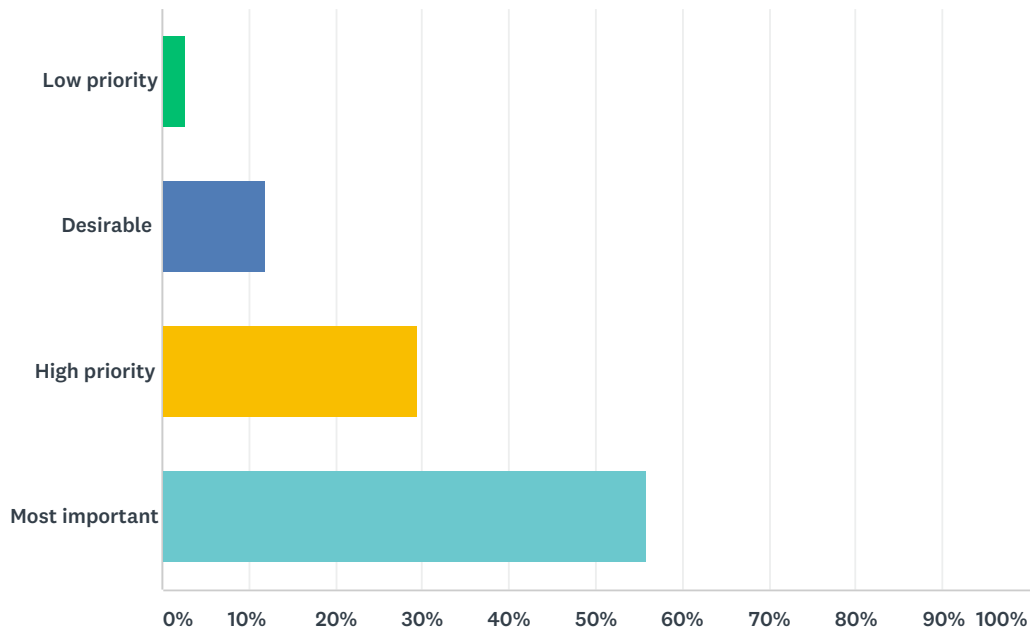
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ANSWER CHOICES	RESPONSES	
Low priority	3.44%	20
Desirable	16.49%	96
High priority	32.13%	187
Most important	47.94%	279
TOTAL		582

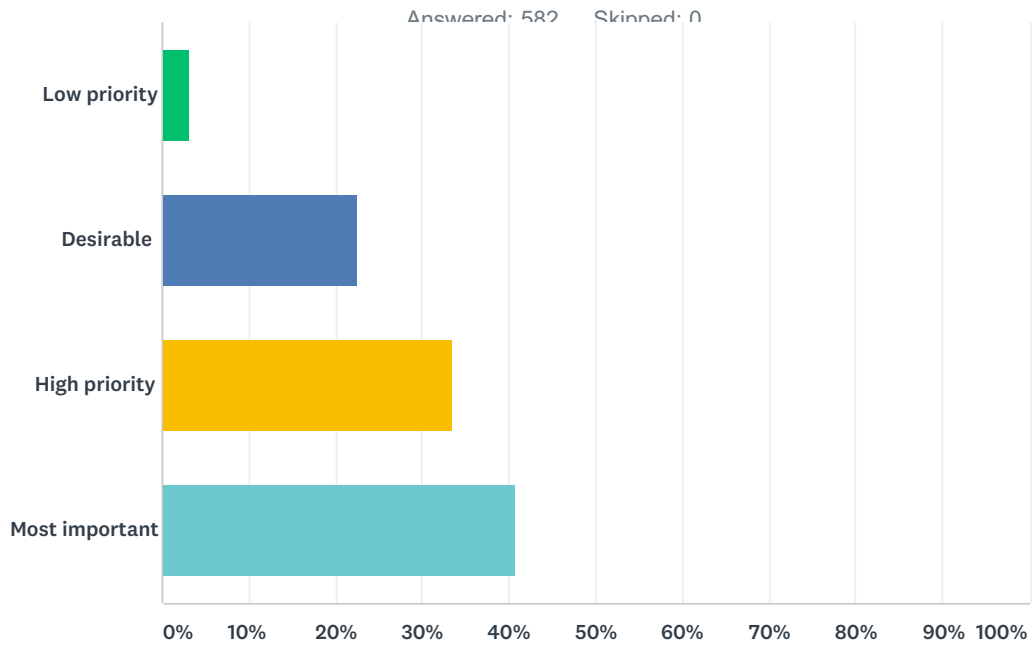
Q13 There should be tougher consequences for false accusations made in court

Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	2.75%	16
Desirable	11.86%	69
High priority	29.55%	172
Most important	55.84%	325
TOTAL		582

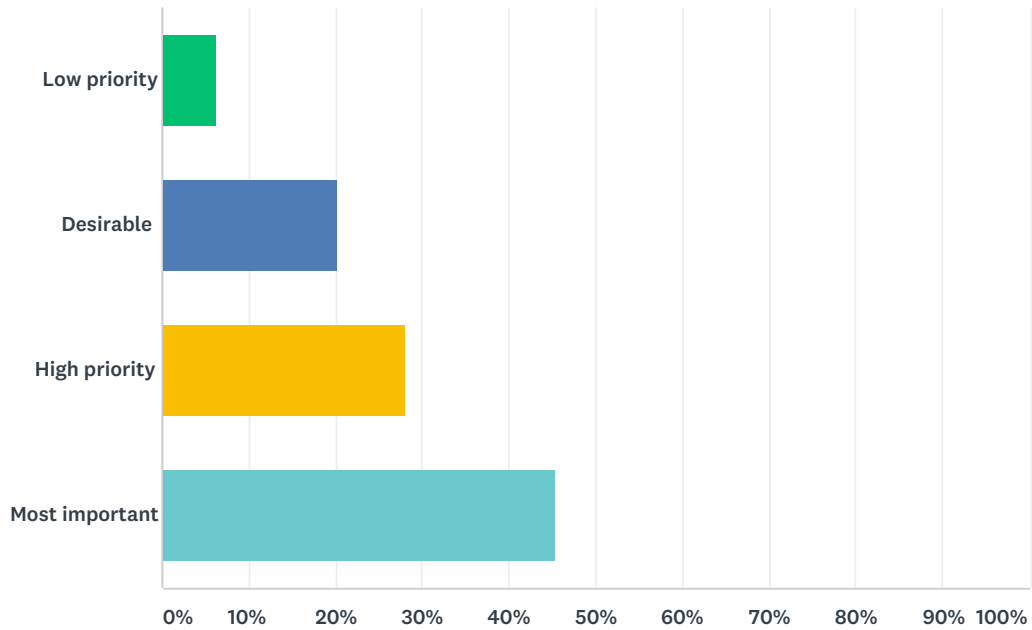
Q14 More support and care should be offered after family court cases



ANSWER CHOICES	RESPONSES	
Low priority	3.09%	18
Desirable	22.51%	131
High priority	33.51%	195
Most important	40.89%	238
TOTAL		582

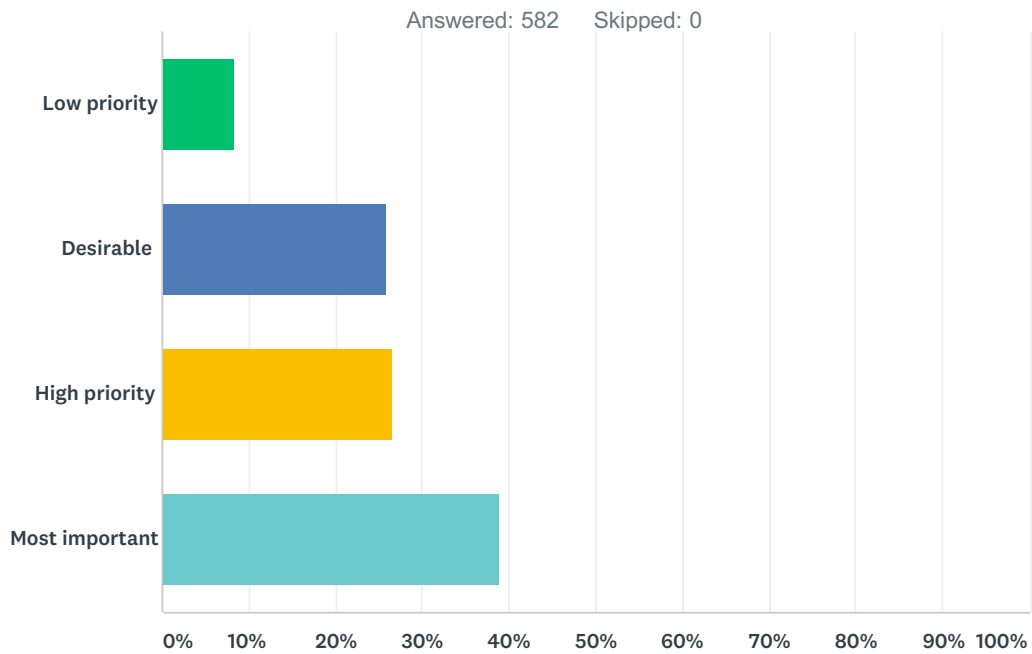
Q15 The time it takes for a court case to complete should be quicker

Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	6.36%	37
Desirable	20.27%	118
High priority	28.01%	163
Most important	45.36%	264
TOTAL		582

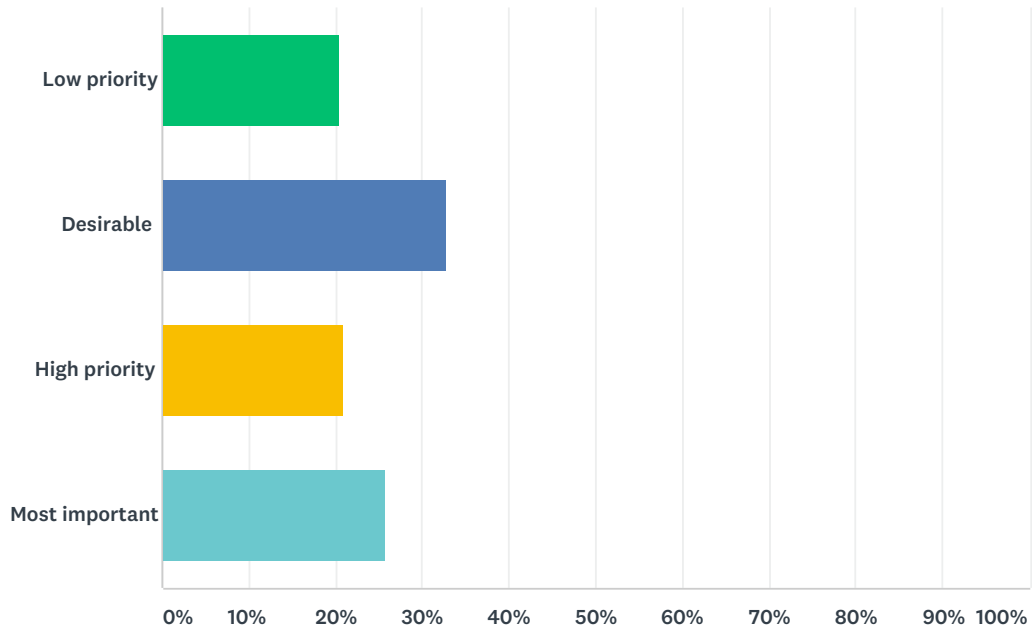
Q16 Judges should have to explain their decisions in writing to parents



ANSWER CHOICES	RESPONSES	
Low priority	8.42%	49
Desirable	25.95%	151
High priority	26.63%	155
Most important	39.00%	227
TOTAL		582

Q17 Judges should have to explain their decision to children

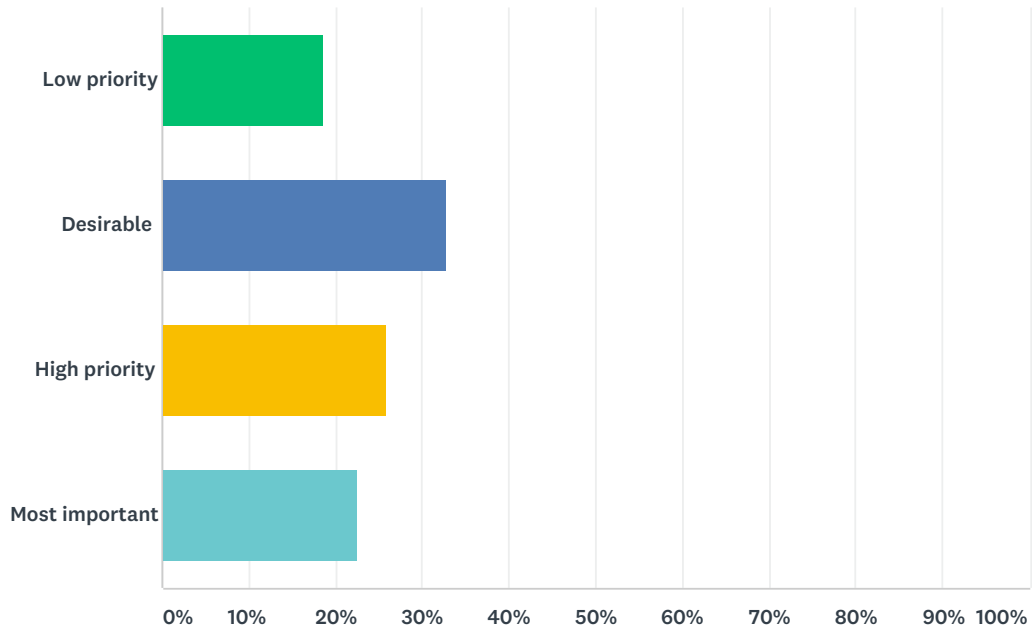
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ANSWER CHOICES	RESPONSES	
Low priority	20.45%	119
Desirable	32.82%	191
High priority	20.96%	122
Most important	25.77%	150
TOTAL		582

Q18 There should be more legal rights for co-habiting couples

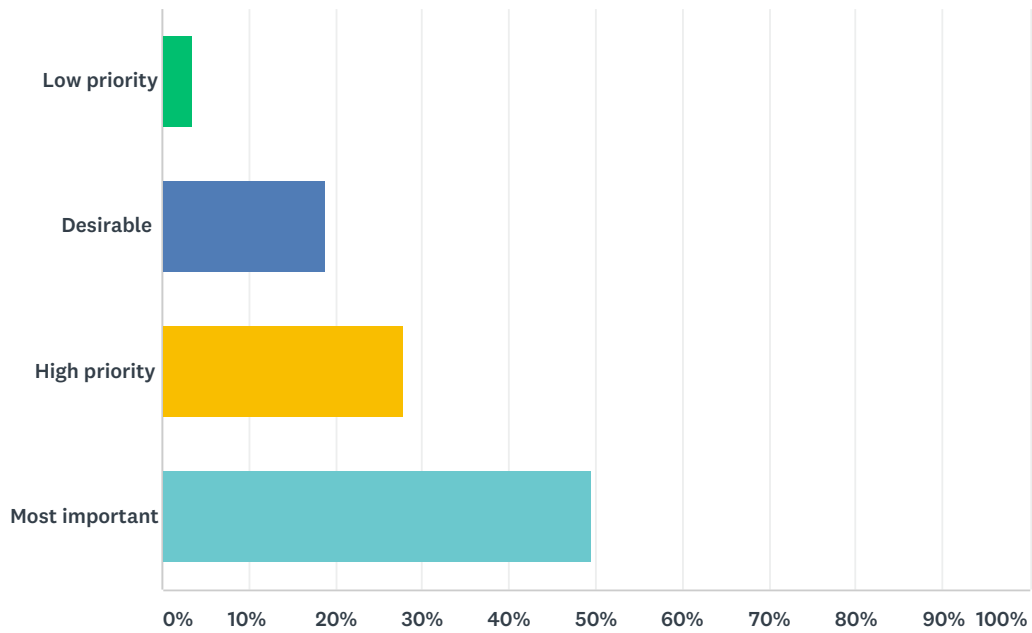
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	18.56%	108
Desirable	32.82%	191
High priority	25.95%	151
Most important	22.68%	132
TOTAL		582

Q19 Lawyers and judges should receive additional training on domestic abuse and the impact it has on children and young people.

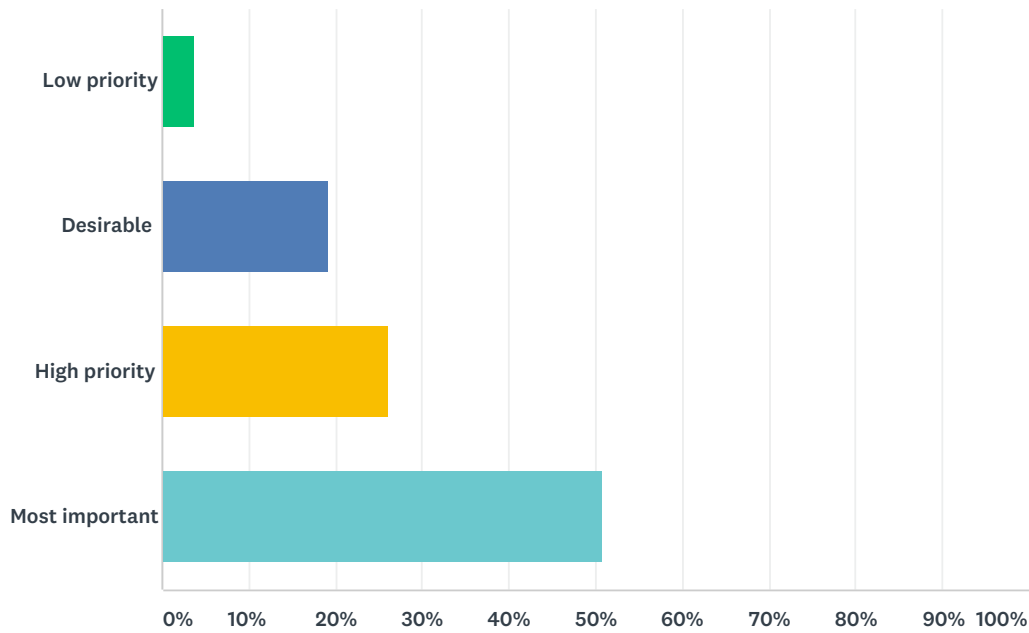
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	3.61%	21
Desirable	18.90%	110
High priority	27.84%	162
Most important	49.66%	289
TOTAL		582

Q20 There should be separate waiting rooms in family courts (especially in domestic abuse cases)

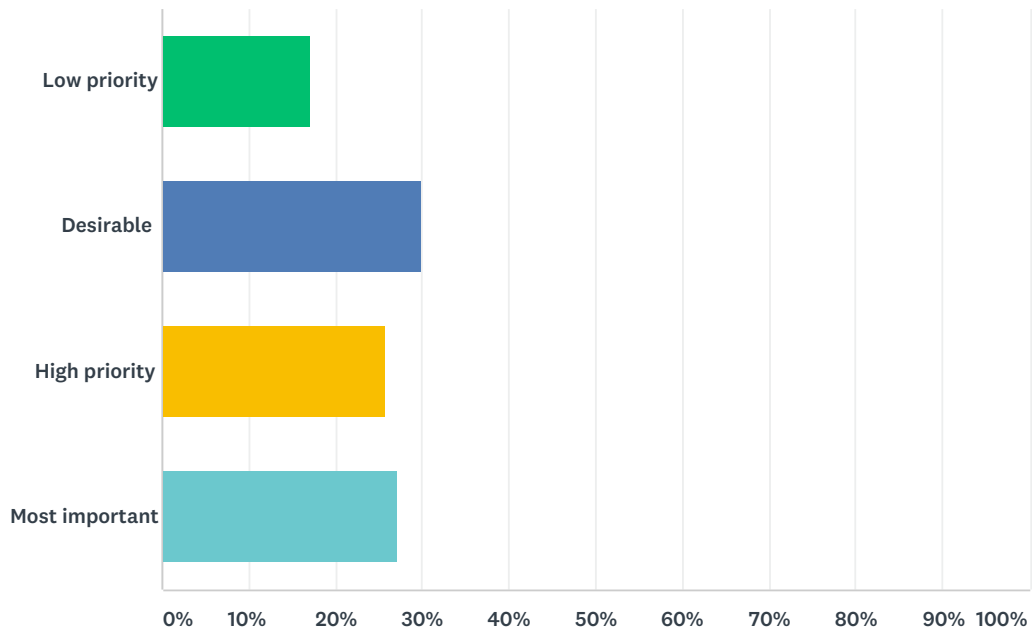
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ANSWER CHOICES	RESPONSES	
Low priority	3.78%	22
Desirable	19.24%	112
High priority	26.12%	152
Most important	50.86%	296
TOTAL		582

Q21 There should be more promotion of Separated Parents Information Programmes (SPIP)

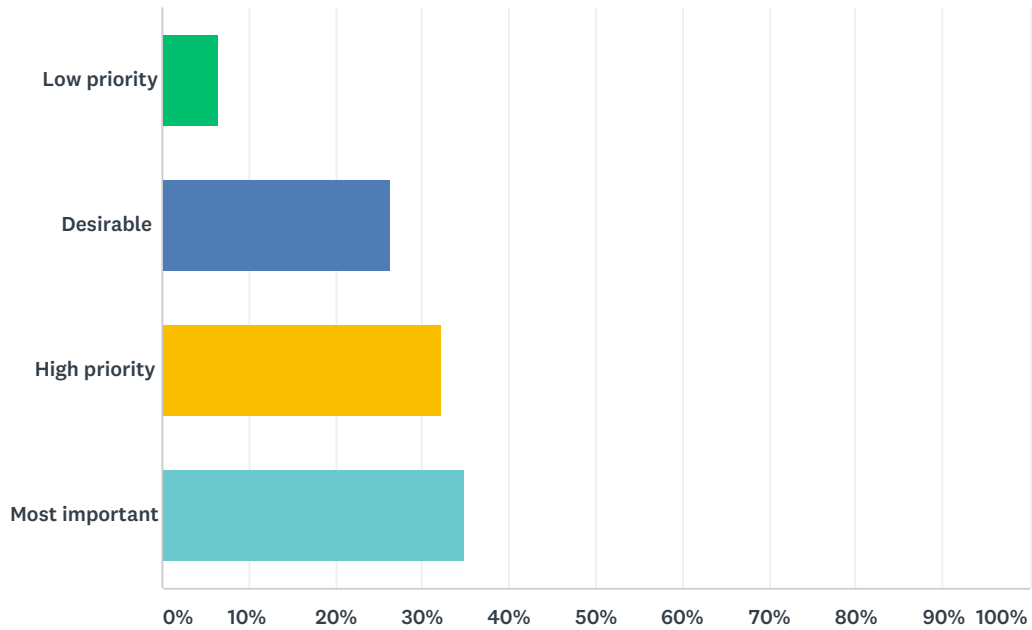
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	17.18%	100
Desirable	29.90%	174
High priority	25.77%	150
Most important	27.15%	158
TOTAL		582

Q22 Resources for Contact Centres should be increased

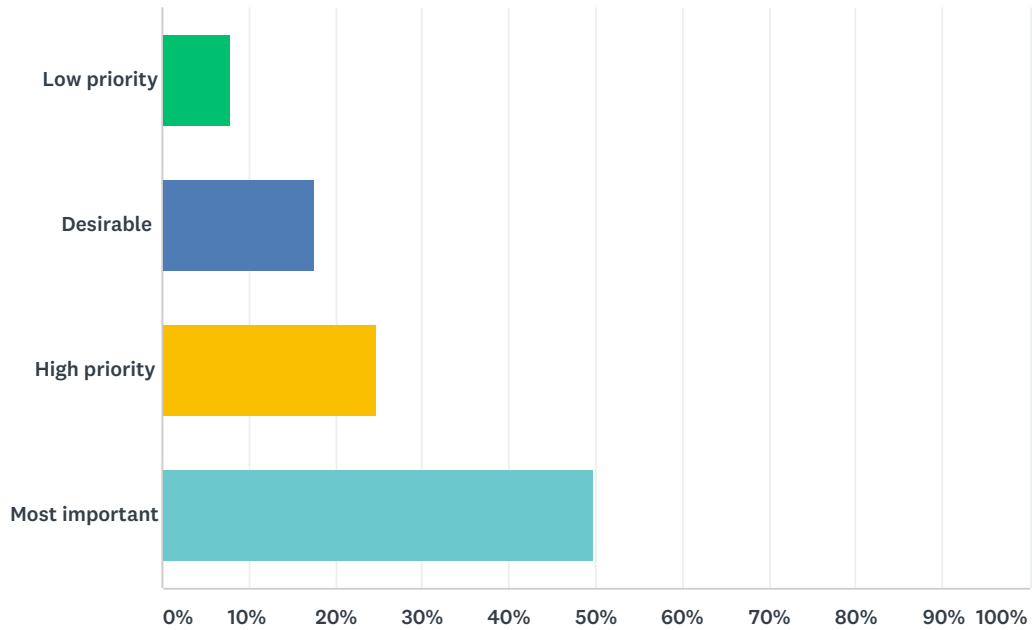
Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES	
Low priority	6.53%	38
Desirable	26.29%	153
High priority	32.30%	188
Most important	34.88%	203
TOTAL		582

Q23 There should be more legal aid available

Answered: 582 Skipped: 0



ANSWER CHOICES	RESPONSES
Low priority	7.90% 46
Desirable	17.53% 102
High priority	24.74% 144
Most important	49.83% 290
TOTAL	582