

Andrew Selous (South West Bedfordshire) (Con): Christmas is a time that parents look forward to celebrating with their children when they can. However, for many parents that is not possible-and I am thinking not only of our troops in Afghanistan, but of the 3 million children in this country who live apart from a parent and, in particular, of those who are caught in the family justice system. I think particularly of non-resident parents who are trying to get access to or have contact time, as it is called, with their children. This issue also affects grandparents, aunts and uncles to a very great degree.

Sadly, it is abundantly clear that the present family justice system is much too slow. Its processes are greatly abused by parents with no penalty or sanctions applied. It is far too expensive in many cases. One of my constituents, a father, came to see me to say that he had spent more than £8,000 obtaining a court-sanctioned contact order to see his children. He did not abuse that order, but it was not honoured and he could not get it upheld by the courts or the police. Unsurprisingly, he was then short of money to pay maintenance as he wanted to do.

The most vivid example of the failure to honour a court order came from a warrant officer who came to see me. He took his civilian overcoat off and underneath he was in uniform. On his chest was his badge of office-a crown, as those who have served in the armed forces will know-and he put the court order on the table in front of me with the crown of the court on it, stipulating that he should have time with his children every other weekend. That court order was not honoured, and it was not upheld by the police or the courts. He felt deeply let down.

John Hemming (Birmingham, Yardley) (LD): Does my hon. Friend see merit in a default position, whereby both parents have a duty to maintain contact with the children without having to go to court first?

Andrew Selous: We can learn a lot from countries such as Australia, which has a much more shared parenting approach, uses much more mediation and is generally more successful.

Another of my constituents is a young father who has a valid contact order in place. He previously had full custody of his little girl. He is not in any way dangerous-indeed, he is a devoted dad. He last saw his daughter in July. She cries out when she sees him and her grandmother in the local shopping centre, longing to be with him. He has tried since July to get a court date to see her before Christmas, but that has not been possible. He left my surgery in tears after I had updated him on what the family court service had said about his case.

Another constituent also had a valid contact order and on 21 June, the Monday after fathers' day, he received a text to say that the mother of his child had disappeared, leaving no address. Even after a court seek-and-find procedure, no address was provided. A first court date was set in a court a long way away from where my constituent lives, but it was adjourned. When the case did get into court on 4 October, the proceedings were shambolic, the judge was not well briefed and the appropriate file was not there. The case was adjourned again until 30 November and, on 28 November, the mother succeeded in getting that hearing adjourned, as-allegedly-a medical report on the child was not ready. When my extremely persistent constituent finally got the case into court earlier this month, he found that the medical report was dated 18 November and had been

available for the earlier court hearing, but of course there was no sanction on the mother. The courts allow difficult parents to deprive their children of a relationship with their father.

I am proud to be an MP for a Government who are radical and reforming in many ways, and I put it to the House that we need radical reform of the family justice system. We need a system that is much less winner takes all, less confrontational and less expensive; and we need a system that provides proper enforcement of court-sanctioned contact orders.

Matthew Hancock: Has my hon. Friend seen the Public Accounts Committee and National Audit Office reports into CAFCASS, showing that the extremely moving examples that he has highlighted today are not isolated cases but part of a wider problem in the family court system?

Andrew Selous: I am grateful to my hon. Friend for raising that issue. He is right. The problem affects every single one of us in the Chamber and is an issue on which we need urgent progress. The input of mothers and fathers, where safe—that is the vast majority of cases—is hugely beneficial to children.

The language we use in these cases is extremely unhelpful. I really dislike the terms "non-resident parent", which suggests some sort of absentee parent forced to leave their own home, and "parent with care"—why should one parent have to do all the caring? Is that not unfair to mothers, to whom it often applies? The term "contact" is a cold and unfeeling term for what is the strongest of all human bonds. Would "daddy time" or "mummy time" not be more appropriate?

On the point made by my hon. Friend the Member for Birmingham, Yardley (John Hemming), Australia takes a much better approach. Its approach, which was introduced hand-in-hand with reforms to the child maintenance system, is to regard a separated couple as two single parents, with the emphasis, wherever possible, on as much shared parenting as possible, not on one "parent with care" and a distant "non-resident parent". That matters greatly, because there are very positive results for children when separated parents are involved in their children's lives. Earlier this year, one of the most recent academic studies on this subject, by Fabricius et al, showed that when separated parents are involved to a greater degree with their children, it produces better school results, fewer suspensions and lower drop-out rates. There are clearly positive results to be had, so we need a real change of emphasis in this area. We need people in the public sector, such as general practitioners and teachers, to take the rights of non-resident parents seriously where the latter want to be involved in their children's lives.

I would commend Australia again. In Perth in western Australia, it was found that one of the reasons parents with care were giving for not allowing contact time with children was their concern that the fathers would not be able to look after the children properly. As a result, courses in child health were set up for fathers to facilitate greater shared care—a very practical suggestion. I put it to the Minister, therefore, that on this issue we have made too little progress for far too long, causing far too much heartache to too many of our constituents. As I wish you, Mr Deputy Speaker, and all Members and staff of the House a very happy Christmas, I ask everyone to

reflect briefly on those good parents who long to be with their children this Christmas but who will be denied that opportunity.