

## AGM and Annual Conference Saturday 9 June 2018

Royal Air Force Club, 128 Piccadilly, London W1  
10.30am to 4.45pm Admission free

### Guest speakers

**Dr Patrick Fagan**

***Lessons on family policy we can learn from the United States***

**Dr Olwyn Mark**

***Statutory RSE: Exploring the moral complexities***



**Patrick Fagan** is founder and director of the Marriage and Religion Research Institute (MARRI) in Washington DC. His research examines the relationship between family, marriage, religion, community, and social problems. Dr Fagan worked as a teacher and as a clinical therapist specialising in child, family and marital therapy prior to serving as the Senior Fellow on Family and Culture at the Heritage Foundation. He also served as Deputy Assistant Secretary for Family and Social Policy at the US Department of Health and Human Services under President George H W Bush.



**Olwyn Mark** serves as Head of Research and Strategic Partnerships at Love for Life in Northern Ireland. An updated version of her PhD thesis has recently been published by Peter Lang under the title, *Educating for Sexual Virtue: A Moral Vision for Relationships and Sex Education*. Dr Mark has also written a critical appraisal of the role of parents in the government's teenage pregnancy strategy in England from 1997–2010.

Two-course lunches in the RAF Club's Presidents Room are available at the subsidised cost of £28.50. To reserve a lunch, please send a cheque for £28.50 made payable to 'Family Education Trust', to reach us before Wednesday 30 May 2018.

**For further information and/or to book a place, please email Piers Shepherd at [piers@familyeducation.plus.com](mailto:piers@familyeducation.plus.com) or call the office on 01784 242340. Please let us know if you are planning to attend.**

## The challenge of family law reform

**The UK has the highest rate of family breakdown in the developed world, and yet there is a widespread and growing recognition that the law relating to divorce and its administration through the courts is complex and in a state of confusion.** Now, following a concerted campaign involving high profile lawyers, the Marriage Foundation and *The Times* newspaper, the Lord Chancellor, David Gauke, has agreed to consider the case for family law reform. Mr Gauke stated:

*I know The Times has campaigned vigorously for reform of family law, including fault-based divorce, and a number of respected figures have voiced their support for change. I acknowledge the strength of feeling on this issue and will study the evidence for change.*<sup>1</sup>

However, he added that he would not 'rush to a conclusion'.

### Five-point plan

*The Times* newspaper's Family Matters campaign has issued a 'five-point plan for change' consisting of:

- Scrapping fault-based divorce laws
- Reviewing financial rights and remedies after divorce
- Giving prenuptial contracts the force of law
- Extending civil partnerships to heterosexual couples
- Granting financial rights to unmarried cohabitants

According to the Marriage Foundation, this controversial package of reforms would promote intentional commitment which is the key to stability, encourage people to work at relationships, and ameliorate the impact of the separation process. The Foundation's briefing on reforming family law states:

*Our concern is to uphold the gold standard in ways that make it attainable for all and to promote the behaviour that research shows makes a difference: making a decision, being committed, developing skills and capability, working through problems (with help where needed), setting and reinforcing social norms, fulfilling responsibilities when things go wrong, and seeking always to maintain the safe, secure and nurturing relationships on which children depend.*<sup>2</sup>

*continued overleaf...*

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## The challenge of family law reform

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### ‘No-reason divorce’

However, while all supporters of marriage will warm to the Marriage Foundation’s vision, not all are persuaded that the reforms it is proposing would achieve these objectives. The Coalition for Marriage (C4M), for example, characterises the abolition of fault from the divorce process as introducing the concept of ‘no-reason divorce’. C4M explains:

*At present the irretrievable breakdown of a marriage must be proven on the grounds of adultery, abandonment, unreasonable behaviour or either two or five years of living separately, depending on whether there is agreement between the couple.*

*Removing the need to prove such a breakdown means that the law would allow spouses to walk away from the most significant commitment in their lives without providing a reason.<sup>3</sup>*

The C4M guide goes on to suggest that: ‘Making no-reason divorce available to either party without the agreement of their spouse would effectively allow a person to resign from a marriage.’

### Pre-nuptial contracts

Concerns have also been raised about the proposal to give pre-nuptial contracts the force of law. The Marriage Foundation itself acknowledges that: ‘Encouraging people to anticipate breakdown, or to make commitment more provisional with

easier get out clauses, may not be beneficial.’<sup>4</sup> However, it sees pre-nups as a useful mechanism to ‘enable couples to have the marriage they want’, so that ‘each and every couple can be encouraged to think about, and then decide, what fits for them’.

Such language sounds perilously close to treating marriage as a nose of wax that can be moulded according to the whim of each couple – a kind of DIY ‘marriage’ that would represent a further dilution of the historic meaning of marriage as the lifelong union of one man and one woman.

### Civil partnerships for heterosexuals

When the government conducted a review of the law on civil partnerships in 2014, 76 per cent of respondents opposed the extension of civil partnerships to opposite-sex couples.<sup>5</sup> In our submission to the government review, Family Education Trust argued that:

*Marriage entails an exclusive and lifelong commitment which is not present in the formation of a civil partnership. Since only an opposite sex couple can naturally produce children and marriage is associated with higher levels of stability and positive child outcomes, it is in the interest of individuals and society to encourage opposite sex couples to marry.*

*To give such couples the option of forming a civil partnership which does not involve pledge of exclusive or lifelong commitment would run the risk of further reducing the number of couples who marry and further weaken the institution of marriage and the benefits it brings.<sup>6</sup>*

### Cohabitation rights

While we are sensitive to the hardship that is sometimes experienced when a cohabiting relationship breaks down, we are not persuaded that the solution is for the law to treat cohabiting couples in a manner akin to if they had been married.

To give cohabitantes the same, or similar, legal protection as married couples would lead to the public perception that it does not matter whether a couple marries or cohabits. However, all the evidence shows that there are substantial differences in terms of family stability and outcomes for children. By its very nature cohabitation is a more fragile relationship, involving no pledge of commitment, and should not be given legal recognition.

### Conclusion

Writing in *The Times* earlier in the year, the Marriage Foundation’s Chairman, Sir Paul Coleridge called for ‘an intelligent, constructive debate about how to improve things’. He argued that ‘the need for wholesale reform is non-negotiable’, but recognised that ‘the precise details remain on the table’.<sup>7</sup> While we have deep misgivings about *The Times* newspaper’s ‘five-point plan’, we do recognise a need for reform.

The problem with no-fault divorce, pre-nuptial agreements, civil partnerships for heterosexuals and cohabitation rights is that they all run the risk of further undermining marriage rather than preserving its unique character. The challenge over the coming months will be to outline the kind of reform that is needed in order to encourage the recovery of a marriage culture.

### Notes

1. Frances Gibb, ‘Justice Secretary to review divorce laws after *Times* campaign’, *The Times*, 5 February 2018.
2. Marriage Foundation, *Reforming Family Law*, November 2017.
3. Coalition for Marriage, *No Good Reason: The Case Against No-Reason Divorce*, March 2018.
4. Marriage Foundation, *Reforming Family Law*, op. cit.
5. Department for Culture, Media and Sport, *Civil Partnership Review (England and Wales) – Report on Conclusions*, June 2014.
6. Family Education Trust, Response to the Department for Culture, Media and Sport, *Civil Partnership Review (England and Wales): a consultation*, April 2014.
7. Paul Coleridge, ‘Family law is in desperate need of reform - Out-of-date legislation covering the end of relationships is penalising huge sections of society’, *The Times*, 1 January 2018.

### ● Marriage rates the lowest on record

According to the latest figures from the Office for National Statistics, marriage rates for opposite-sex couples in 2015 were the lowest on record, following a gradual long-term decline since the early 1970s. In 2015, there were only 21.7 marriages per thousand unmarried men and 19.8 marriages per thousand unmarried women, compared with 84 marriages per thousand unmarried men and 63.5 marriages per thousand unmarried women when marriage rates were at their height in 1972.

**Source: ONS, *Marriages in England and Wales: 2015*.**

### ● Does it matter? Yes, it does!

As the Marriage Foundation observed in response to the ONS release: ‘There is a very simple equation: less marriage equals less commitment equals more family breakdown. Although some level of breakdown is inevitable, it remains the case that staying together for life is the norm for couples who marry, whereas it is the exception for those who do not, across the social spectrum.’ And family breakdown is costly, in terms of the toll it takes on the health of the parties involved and on their children in particular. But it is also costly in terms of the burden it places on the taxpayer.

Over the past decade the Relationships Foundation has published an annual ‘Cost of Family Failure Index’ in which it has estimated the cost of family breakdown to the public purse. According to its most recent estimate, the cost of family breakdown now stands at £51 billion, up from £37 billion 10 years ago. The estimate includes costs in relation to tax and benefits, housing, health and social care, civil and criminal justice and education.

# Cheap Sex: The Transformation of Men, Marriage and Monogamy

Mark Regnerus, Oxford University Press, 2017,  
hb, 262pp, £19.99, ISBN 97801906736

In this groundbreaking book, Dr Regnerus draws on several large, population-based surveys to provide a representative overview of what Americans think and do with regard to sexual relationships, supplemented by stories from in-depth interviews with 100 young adults aged 24-32 conducted by his research team in five different parts of the United States. The picture that emerges is one in which young Americans appear to be having more sexual experiences with more partners, and yet they are less stable in, and less content with, the relationship in front of them.



Dr Regnerus is Associate Professor of Sociology at the University of Texas, specialising in the areas of sexual behaviour, family, marriage, and religion. Throughout this title, he interacts with the thinking of Anthony Giddens and his notions of 'the pure relationship' and 'confluent love'. In Giddens' own words:

*Unlike romantic love, confluent love is not necessarily monogamous, in the sense of sexual exclusiveness. What holds the pure relationship together is the acceptance on the part of each partner, 'until further notice', that each gains sufficient benefit from the relation to make its continuance worthwhile. Sexual exclusiveness here has a role in the relationship to the degree to which the partners mutually deem it desirable or essential.* (p.178)

While Giddens was keen not to object to the changes in patterns of sexual behaviour that he perceived, Regnerus is not so complacent and highlights some of the adverse consequences that have flowed from the sexual revolution. In spite of their differences, Giddens welcomes this title as 'a magisterial study of the changing sexual landscape today' and predicts that it will become 'a standard work of reference in the field'.

## Central message

The central message of the book is that sex has become cheap, both economically and socially. It is now more available and at a lower cost than ever before in human history. In previous generations, when intercourse carried a higher risk of conception, men had to prove themselves marriageable and demonstrate a capacity to support a wife and provide for a family in order to access sex. It is not so much the case that men today are afraid to 'man up' and commit; they simply don't need to. In the words of the social psychologist, Kathleen Vohs:

*Nowadays young men can skip the wearying detour of getting education and career prospects to qualify for sex. Nor does he have to get married and accept all those costs, including promising to share his lifetime earnings and forego other women*

*forever. Female sex partners are available without all that... Sex has become free and easy.* (p.149)

Regnerus comments: 'Sex is cheap if women expect little in return for it and if men do not have to supply much time, attention, resources, recognition, or fidelity in order to experience it.' (p.28) The upshot of giving young men easy access to sexual satisfaction is that society is deprived of a way to motivate them.

## Technology

Cheaper sex has been facilitated by three distinctive technological achievements:

- The wide uptake of the contraceptive pill and the mentality flowing from it that sex is 'naturally' infertile;
- Mass-produced pornography – the cheapest form of sex: accessible, affordable and anonymous;
- The advent and evolution of online dating services.

Together, these three factors have created a massive slow-down in the development of committed relationships, especially marriage, and they have put the fertility of increasing numbers of women at risk, subsequently driving up the demand for fertility treatments.

Now that conception can be avoided or artificially generated, Regnerus observes, heterosexuality is at risk of becoming 'one taste among others'. Women want men but don't need them, while men want sex but have more options. While cheap sex has made diverse sexual experiences more accessible, it has made other things more difficult, like sexual fidelity and getting and staying married, which Regnerus notes has long been 'a predictable pathway to greater economic, social and emotional flourishing'.

The sober truth is that those who self-report more than 20 sexual partners in their lifetime are:

- Twice as likely to have ever been divorced;
- Three times as likely to have cheated while married;
- Substantially less happy with life;

- Twice as likely to report having had an abortion;
- More likely to be on medication for depression or anxiety;
- Three times more likely to have been told they had a sexually transmitted infection;
- More likely to have tragic sexual histories. (p.89)

As Regnerus observes: 'Cheap sex is having a tough time creating lasting love.' (p.100)

## Cultural lag

Many people are continuing to marry because they are following the cultural practices of their parents and grandparents. However, with historically compelling reasons for marriage – like babies, financial and physical security, or the desire for a 'socially legitimate' sexual relationship – losing their hold, marriage is in the throes of deinstitutionalisation. Declining marriage rates suggest that 'cultural lag' is nearing its end.

With the advent of increased economic egalitarianism, women no longer need what men historically offered in marriage. Some men have therefore concluded that 'marriage is a bad deal for them, and that cheap sex is a welcome shift from expensive promises that can, in the end, leave them alone and with a child-support tab to pay'. (p.163)

This is an insightful and illuminating volume. Policymakers would do well to heed Regnerus' call to acknowledge the reality of cheap sex and its consequences, instead of recasting it in a positive light. He warns that: 'Societies that disregard monogamous norms undermine their own long-term interests.' (p.182)

But the reader who comes to this book seeking solutions and a plan of action to change men's attitudes and behaviour, and to recover marriage and monogamy will be disappointed. That is not its purpose. Regnerus describes his book as 'a documentary, an assessment of where things stand and an argument about how we got here, with some space at the end donated to educated guesses about what happens next.'

# Serious case review raises searching questions about confidentiality policies

*Sexual health clinics may be ‘unwittingly assisting perpetrators to abuse without risk of pregnancies and disease’, says report into sexual exploitation in Newcastle-upon-Tyne*

**Confidentiality policies are acting as a barrier to protecting girls from sexual exploitation and inadvertently assisting their abusers, according to a serious case review conducted by the Newcastle Safeguarding Children Board. The report states:**

*Victims of sexual exploitation are very likely to attend sexual health services or walk-in community support services while being groomed and when they are being exploited. The current approach to and principles applied to confidentiality and assessment of capacity, to consent to treatment and sexual acts means identifying victims or potential victims is extremely difficult and is unlikely to occur.*

The report states that a study by the sexual health service in Newcastle, conducted after the launch of a police-led multiagency investigation in 2014, found that approximately 85 per cent of victims of sexual exploitation had accessed sexual health services. Numerous examples of exploited girls obtaining contraception are cited. In the words of some of the victims:

- *R and I were in a sexual relationship. It got really bad when I got pregnant. I was 12 years old. He was at university in his early twenties. I went to have an abortion. I did it by myself. I went to a Walk in Centre.*
- *I went to (a voluntary community service) and they sent me to (sexual health) for contraception. There was no mention of sexual exploitation. They asked about partners and I ... gave them a list of names. They said I was high risk for infections. They were aware there were lots of men.*
- *I used to go to sexual health. I told them my name and age and when I had sex. They could have picked up what was happening.*
- *I went constantly for the morning after pill – to different places.*

## Standard practice

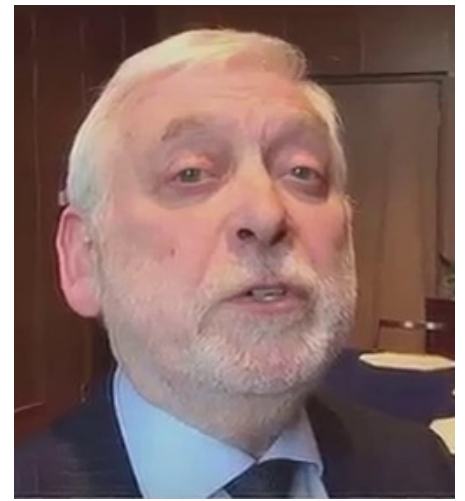
The report refers to a case where a school nurse gave a 13 year-old girl pupil contraceptive advice and referred her to sexual health services without informing her parent. Subsequently, at the age of 15, she had an abortion, again without the knowledge of her parent, her GP or any of the teaching staff in the school.

It emerges that it is standard practice for information to be freely shared between school nurses and sexual health services, while parents are kept in the dark, and underage sexual activity does not trigger any concerns.

David Spicer, the author of the report noted that:

*While there is no evidence in Newcastle of an approach identified in Rochdale where girls as young as ten years old were recorded as engaging in consensual sexual activity, there was historically an acceptance that teenage girls would be involved in sexual acts and made life-style choices. This was encouraged by victims who under the influence and control of perpetrators, insisted that they were making choices which they were entitled to make, avoided contact and expressed resentment and opposition to attempts to intervene.*

The report observes that the perpetrators of child sexual exploitation frequently encourage their victims to attend a sexual health clinic and sometimes even escort them there. It is, after all, in their interest to reduce the risk of pregnancy and to access treatment for sexually transmitted infections in order to conceal their



**David Spicer, author of the Newcastle-upon-Tyne serious case review**

crimes. But unless the clinic’s procedures require staff to elicit information about the nature of the sexual relationship the girl is involved in, there is a danger that the service may be ‘unwittingly assisting perpetrators to abuse without risk of pregnancies and disease’.

## Fraser principles

Professionals frequently appeal to the ‘Fraser principles’ as their basis for providing confidential advice and treatment to under-16s. However, a review of cases conducted by the Newcastle upon Tyne Hospitals NHS Foundation Trust found ‘it was not consistently and clearly evidenced’ that either sexual exploitation or the Fraser principles were considered in consultations with girls seeking sexual health services. The serious case review

## How vulnerable girls are being denied the protection of the law

*Extracts from the Newcastle-upon-Tyne serious case review*

‘Indicators can be mistaken for normal adolescent behaviours. The abuse is hidden. Sophisticated grooming means victims may not recognise they are being abused and believe they are in control, in healthy consensual relationships. Apparent close relationships may develop to involve intimidation, threats and coercion.’

‘Sophisticated grooming by perpetrators is calculated to persuade victims that they are in intimate relationships; interest or excitement may encourage them to try it out. Researchers recently suggested that teaching adolescents about sex and making access to contraceptives easier may have encouraged risky behaviour.’

‘There were no effective inquiries about relationships, why girls were with older men to whom they were not related; explanations were accepted, even when a young girl was found in the bedroom of an older man. There was little inquiry into what other victims there may be or the vulnerability of children, young people, and vulnerable adults in the perpetrators’ families and circle of contacts. There was a lack of forensic medical examinations or collection of physical evidence.’

‘The explanation for the lack of criminal investigation and prosecution of perpetrators is the lack of confidence of police officers, shared by other professionals who accepted their judgments, that there was unlikely to be any realistic prospect of securing convictions.’

also records that Lord Fraser's judgment in the Gillick case is 'rarely read by professionals applying the Guidelines'.

If professionals were to read the Gillick judgment, they would find that Lord Fraser stated that:

*Nobody doubts, certainly I do not doubt, that in the overwhelming majority of cases the best judges of a child's welfare are his or her parents. Nor do I doubt that any important medical treatment of a child under 16 would normally only be carried out with the parents' approval. That is why it would and should be most unusual for a doctor to advise a child without the knowledge and consent of parents on contraceptive matters.*

Lord Fraser was at pains to stress that the criteria he set down for the exceptional provision of contraception to under-16s:

*ought not to be regarded as a licence for doctors to disregard the wishes of parents on this matter whenever they find it convenient to do so. Any doctor who behaves in such a way would, in my opinion, be failing to discharge his professional responsibilities, and I would expect him to be disciplined by his own professional body accordingly.*

However, as things stand, in Newcastle and in every other part of the country, contraception is routinely supplied to girls under the age of consent.

### The need for change

The serious case review recognises that confidentiality policies present an obstacle to identifying victims and potential victims of sexual exploitation. It states that 'discussions during the Review have not led to any suggestions about how this might be overcome', but goes on to warn that:

*Unless there is a change, which appears to require a national debate, sexual exploitation is not likely to be prevented and early identification will remain difficult.*

The report therefore recommends that:

*The Government should urgently arrange for the principles applied to confidentiality and safeguarding in sexual health settings to be reviewed having regard to the body of knowledge about sexual exploitation.*

• **David Spicer, Joint Serious Case Review Concerning Sexual Exploitation of Children and Adults with Needs for Care and Support in Newcastle-upon-Tyne, Newcastle Safeguarding Children Board and Newcastle Safeguarding Adults Board, February 2018.**

## Child sexual exploitation in Telford Another scandal, the same sad message. When will we learn?

According to an 18-month *Sunday Mirror* investigation, an estimated 1,000 girls suffered sexual exploitation and abuse in the Shropshire district of Telford over a period of 40 years. As yet there has been no formal investigation and no full published report, but from the limited information already available we see the reappearance of several features found in reports from other regions.

### Complacent attitudes towards underage sex

Like their counterparts in Rochdale, Rotherham and Bristol, education and welfare professionals in Telford assumed that the girls were making 'lifestyle choices'. 'Instead of seeing them as exploited victims, some council staff viewed them as prostitutes,' we are told.

And so 'case histories reveal many were ignored after reporting rapes to the police'. On the basis of prior assumptions that had been made about the girls, their reports were not taken seriously. The Independent Inquiry into Child Sexual Exploitation in Rotherham similarly found that 'children as young as 11 were deemed to be having consensual sexual intercourse when in fact they were being raped and abused by adults'.

### Confidential provision of contraception and the morning-after pill to underage girls

One 14 year-old Telford victim said, 'I must have been getting the morning-after pill from a local clinic at least twice a week but no one asked any questions.'

In spite of her frequent use of the morning-after pill, the girl fell pregnant twice and had two abortions. But still no questions were asked.

By virtue of the fact that they were seeking contraception and 'sexual health services', the girls were deemed to be making mature and responsible choices, and assumed to be freely exercising their sexual rights, even though many of them were under the age of 16 and in some cases were as young as 11.

### Failure to enforce the law on the age of consent

Taxi-driver Azhar Ali Mehmood began targeting Lucy Lowe in 1997, and she was only 14 when she gave birth to his daughter. He was later jailed for murdering Lucy and her mother and sister when he set fire to their house, and yet we are told, 'he was never arrested nor charged in connection with any child sex crimes over his illegal relationship with the schoolgirl'.

The *Sunday Mirror* reports:

*One schoolgirl was pregnant six times in four years after being targeted by abusers in 2004. She was just 15 when a suspected drug dealer in his 20s and another man preyed on her for four years. The mixed-race girl had a baby to each man, and three abortions and one miscarriage. She lived in fear of violence. Council files show social services, teachers and mental health workers were fully aware of what was happening but did little. They also failed to tell police.*

In response to the *Sunday Mirror* revelations, Telford and Wrekin Council insisted that it had learned a lot of lessons and that its approach to child sexual exploitation is now very different from what it was 10-20 years ago.

However, there is no indication that Telford and Wrekin is addressing the elephant in the room. Nor, for that matter, that any other local authority is getting to grips with the fact that a casual attitude towards underage sex is exposing children and young people to increased risk of sexual exploitation.

• **Nick Sommerlad and Geraldine McKelvie, 'Girl victim of Britain's worst child abuse scandal involving 1,000 children fell pregnant six times in four years', *Sunday Mirror*, 11 March 2018.**

Copies of the report, *Unprotected: How the normalisation of underage sex is exposing children and young people to the risk of sexual exploitation* by Family Education Trust director, Norman Wells, are available from the office, priced at £7.50 + £1.50 p&p.

'Research such as this is invaluable to improving the experiences of victims of child sexual exploitation and abuse.'  
**David Gauke, Lord Chancellor and Justice Secretary**



# The world's leading campaigner against smacking is jailed for sexual offences against a minor

The leading children's rights activist and anti-smacking campaigner, Peter Newell, has been jailed for six years and eight months for five sexual assaults on a child between 1965-1968. At a hearing in Blackfriars Crown Court at the beginning of January, Mr Newell, aged 77, pleaded guilty to two counts of buggery and three counts of indecent assault. According to the Metropolitan Police press statement, the allegations were reported to the police on 21 March 2016 by the victim, who was aged 12 at the time the offences started.

On 18 May 2017, Newell was interviewed and was subsequently charged on 3 November 2017. Detective Constable Michael Lam-Hang, from Central North Basic Command Unit's Safeguarding Team, said: 'Newell committed a series of horrific sexual offences that have rightly resulted in a lengthy term of imprisonment.'<sup>1</sup>

## 'Betrayed'

Peter Saunders, founder of the National Association for People Abused in Childhood, who had previously worked with Newell, said that he felt 'betrayed'.

He told the *Daily Mail*:

*I have to say that knowing now what I know about his crimes I am not surprised at Mr Newell's lack of enthusiasm when I contacted him many years ago to say I was setting up a national charity to support adults who had suffered childhood abuse. But what better cover for this man's crimes than to choose to work in the world of child protection.*<sup>2</sup>

The media coverage following Newell's conviction and sentencing has tended to focus on his role as a consultant to Unicef and co-author with his partner, Rachel



Peter Newell

Hodgkin, of all three editions of the substantial *Implementation Handbook for the Convention on the Rights of the Child*. However, the full extent of his activities and influence is not widely known.

## Anti-smacking campaigns

No one has been more active than Peter Newell in campaigning to make the physical correction of children a criminal offence, both nationally and internationally. In 1972, he edited a Penguin paperback opposing the use of corporal punishment in schools entitled *A Last Resort?* and was closely involved with the Society of Teachers Opposed to Physical Punishment (STOPP).

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*"What better cover for this man's crimes than to choose to work in the world of child protection."*

Peter Saunders  
National Association for  
People Abused in Childhood

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## Peter Newell and the wider children's rights agenda

**Peter Newell's opposition to the physical correction of children forms part of a wider campaign for children's rights. Having worked for the Children's Legal Centre earlier in his career, he was later a key player in numerous organisations which professed to promote the welfare of children, but in reality sought to drive a wedge between parents and their children and undermined the family unit.**

In 1991, Newell was instrumental in the formation of the Children's Rights Development Unit (CRDU) which he chaired for a number of years. Under his chairmanship, the Children's Rights Office was established in 1995 as a project of CRDU. A year later Article 12, an organisation ostensibly run by and for young people but with an adult support worker employed by CRDU, was also formed. In February 2000, CRDU changed its name to the Children's Rights Alliance for England (CRAE). The following month, CRAE launched the Office of the Children's Rights Commissioner for London as a three-year project, with a major grant from the National Lottery Charities Board.

In 2008, Newell was Company Secretary for the newly-incorporated Child Rights International Network, chaired the organisation from 2008-2014 and remained a director until his resignation in May 2016 after allegations of his sexual offences were reported to the police.

## Children's rights commissioners

In 1991, Newell co-authored a book entitled *Taking Children Seriously: A Proposal for a Children's Rights Commissioner*, and continued to actively campaign for such an office in all parts of the UK. He took part in several 'Commissions' which have recommended the establishment of a children's commissioner, including the Gulbenkian Foundation's Inquiry into Effective Government Structures for Children. Newell teamed up with the Labour MP Hilton Dawson, who presented three Private Member's Bills calling for a children's rights commissioner for England. During a 2001 parliamentary debate on the issue, Dawson acknowledged that his bill had been written by Peter Newell.

Newell has served as Adviser to the European Network of Ombudspersons for Children (ENOC) since its inception in 1997, and following the appointment of children's commissioners in all four parts of the UK in the early years of the new millennium, he has worked closely with them. Unsurprisingly, throughout its history, ENOC has been committed to seeking an end to all corporal punishment of children in Europe.

After corporal punishment was outlawed in state schools in the Education (No 2) Act 1986, Newell turned his attention to the family home. He formed EPOCH (End Physical Punishment of Children) and its associated charity APPROACH (Association for the Protection of All Children) in 1989. He subsequently launched the Children are Unbeatable alliance (CAU), still with the same objective of changing the law to prohibit the use of a disciplinary smack, no matter how mild.

The activities of CAU were mainly funded by the NSPCC, with smaller sums from Barnardo's. Between 2012-2016,

CAU received almost £270,000 from the NSPCC, though the children's charity says that it ceased its support for CAU as soon as it heard about the allegations against Newell.<sup>3</sup> APPROACH's accounts for the year ended March 2017 state that: 'A lack of funding currently poses challenges for CAU. The Trustees remain committed to exploring all options to ensure the work can continue.'

### International influence

Newell was also instrumental in forming the Global Initiative to End All Corporal Punishment of Children (GI) in 2001 and served as the full-time coordinator of APPROACH, which provides the secretariat for both CAU and the GI, until 18 May 2016, eight weeks after his victim had gone to the police. GI is mainly funded by a private donor, the Oak Foundation and overseas sources.

In his role with the GI, Newell was active in both the Council of Europe and the United Nations. He was a member of the Editorial Board for the UN Secretary General's Study on violence against children and has been involved in the preparation and submission of applications to the European Court of Human Rights on behalf of child applicants as well as submitting collective complaints to the European Committee of Social Rights.

Newell's exposure as a sex offender has sent shockwaves through the board of APPROACH. The charity's accounts show that four of its five trustees resigned during the months following the allegations, with two of them standing down on the day after he was formally interviewed by the police in May 2017.

At the end of 2017, of all the members of the APPROACH board at the time the allegations against Peter Newell came to light, only Gerison Lansdown remained. Ms Lansdown had a long association with Newell, having served as director of the Children's Rights Development Unit (see box opposite) for a decade following its inception in 1991. However, she too resigned as a trustee of APPROACH on 2 January 2018, the same day that Newell pleaded guilty to the charges at Blackfriars Crown Court.

### Notes

1. Metropolitan Police press statement on Peter Newell, February 2018.
2. James Fielding, 'Top UNICEF children's rights campaigner - who led UK's anti-smacking campaign - is jailed for rape of boy, 13, in latest charity sex scandal', *Daily Mail*, 16 February 2018.
3. Victoria Ward, Children's rights campaigner jailed for abusing a 12-year-old boy, *Daily Telegraph*, 16 February 2018.

## Relationships Education: Parents want to know what their children will be learning and who will be teaching them

**Parents of primary school children should know what their children will be taught in Relationships Education in advance, according to a ComRes survey of over 2,000 British adults.** The poll, which was conducted during the period of the Department for Education's (DfE) call for evidence, found that 78 per cent of respondents agreed that, 'Schools should be required to make the content of relationships education available to parents before it is taught in the school', rising to 83 per cent of parents with children of primary school age.<sup>1</sup>

A similar proportion of respondents (80 per cent) agreed that, 'Schools should be required to notify parents ahead of time if any external charity or organisation is going to be involved in teaching this relationships education'. Again, the percentage rose to 84 per cent for respondents with school-age children.

The survey revealed a lack of confidence in the competence of politicians to determine the age at which young children should be introduced to the sensitive and controversial areas of sexual orientation and sexual relationships.

While a clear majority of almost two-thirds (65 per cent) agreed that parents were *the most appropriate* people 'to decide on the right age primary school age children should learn about issues of sexual orientation and sexual relationships', a similar proportion (66 per cent) believed that politicians were *the least appropriate* people to take that decision.

### Young people's aspirations

A separate poll of over 1,000 young people aged 14-17 living in England found that 72 per cent wanted relationships education to help them understand how to build long term, lasting relationships as an adult. The survey, conducted by market researchers Survation, revealed that 78 per cent of young people wanted to get married, and a similar proportion (77 per cent) indicated that a long term, lasting relationship in adult life is just as important (or even more important) to

them than their career ambitions. Only four per cent said that they definitely did not want to get married at any point in life.<sup>2</sup>

### The next steps

The DfE received over 23,000 submissions in response to its call for evidence on Relationships Education, Relationships and Sex Education and PSHE. The Department is currently considering the responses and plans to launch a further consultation on draft regulations and guidance later in the year.<sup>3</sup>

Ministers have stated that they 'expect the guidance to reflect issues relating to marriage and civil partnerships, such as the value of strong and stable relationships based on commitment'.<sup>4</sup>

### Notes

1. ComRes online interviews with 2,036 British adults on Relationships Education from 19-21 January 2018, on behalf of the Evangelical Alliance.
2. Family Stability Network and Centre for Social Justice, *Relationships & Sex Education: A Submission from the Family Stability Network and Centre for Social Justice*, January 2018.
3. House of Lords Hansard, Written Question HL6212, Answered on 23 March 2018.
4. House of Commons Hansard, Written Question 127898, Answered on 27 February 2018.

### The role of United Nations treaty-monitoring bodies

"The United Nations treaty-monitoring bodies play a special role in putting through the LGBTI agenda... [T]he members are not elected democratically, but delegated by the member states, and are not accountable to the governments of their countries of origin. They carry the authority of the UN and demand that the governments of sovereign states be accountable for implementing human rights as the delegates interpret and 'further develop' them. In this way, influence is exerted on the legislation of individual states, even to the point of demanding changes to their constitutions. Meanwhile, relevant local NGOs are brought into the process and deliver 'shadow reports'."

**Gabriele Kuby, *The Global Sexual Revolution*, p.74.**

*Dr Kuby's observations on how UN treaty-monitoring bodies are advancing the LGBTI agenda are equally applicable to the children's rights agenda, which is why Peter Newell worked so closely with the UN Committee on the Rights of the Child.*

# What Mums want and Dads need to know

Harry and Kate Benson, Lion Hudson, 2017,  
pb, 218pp, £8.99, ISBN 9780745968858

**Drawing on the ‘back from the brink’ story of their own marriage, the stories of couples they have helped over the years and numerous surveys, Harry and Kate Benson make a convincing case for saying that if a husband prioritises his wife’s happiness they will enjoy a successful marriage.** In the words of Kate, ‘When my husband is interested in me and is kind and generous to me, every part of me lights up. When my husband neglects me it slowly weighs me down like a wet blanket.’

Harry Benson identifies the arrival of children in particular as a major stress factor which reveals and exacerbates tensions in a marriage. A mother inevitably has ‘baby, baby, baby’ as her focus as she is engaged physically, emotionally and practically in bringing a child into the world, nourishing it and caring for it. On the other hand a new father may feel his wife is so competent and attuned to the baby’s needs he can maintain his focus on his work outside of the home.

It is at this point especially, Benson con-

tends, that to secure a vibrant marriage, a husband needs to make a determined effort to turn his focus to his home and most especially to his wife. He needs to take responsibility for the quality of the marriage. ‘We need to start thinking about the family in a different way,’ he says, ‘by recognising mum’s role at the centre of family life and working out what mums want.’

This was supported by his survey of 291 mothers of whom 95-98 per cent said that

what they most desired from their husbands was ‘friendship’, ‘being interested in me’ and ‘being interested in the children’. He helpfully spells out what this looks like practically, asking: ‘What can I do for you?’, taking trouble to find out what is on his wife’s mind, taking notice of her, complimenting her, caring for her and putting her at the top of his list of people who matter. It boils down to an attentive and sacrificial mindset – what the framers of the marriage service expressed in the promise ‘to cherish’.



## Smacking will have to be reported as a child protection concern, says NHS in Wales

**Smacking will be treated as a child protection concern and reported to the local authority and the police, if the Welsh Government proceeds with its plans to legislate against all forms of physical correction, according to two NHS bodies in Wales.** Responses to two Freedom of Information requests revealed that NHS staff would be under an obligation to report parents who smacked their children if it came to their attention.

Asked what impact a ban on smacking would have on the NHS and its staff, Cwm Taf University Board, stated: ‘It is already a statutory duty to report child protection concerns to the Local Authority and if the defence of reasonable chastisement is removed, smacking will become one of those concerns. All allegations of abuse or neglect are investigated by the Local Authority and the Police.’

In similar vein, Public Health Wales said: ‘In relation to the possible introduction of a smacking ban in Wales following the consultation, any allegations of abuse of any staff in Public Health Wales will be dealt with by following the All Wales Child Protection Procedures (2008) and the All Wales Procedure for NHS Staff to raise Concerns.’

Dr Ashley Frawley, a spokeswoman for the Be Reasonable campaign, commented: *These freedom of information requests belie the notion that ordinary parents will not be treated like criminals if the law is changed. It reveals that doctors and nurses face suspension and investigation by the police and social services over ordinary parenting techniques – for doing something most people think is reasonable and sometimes necessary. They may also face significant consequences and disruption over allegations, true or not. It seems likely that their patients will be treated in the same way, with medical staff being forced to report on anyone suspected of smacking their child, even when there is little, or no evidence.*

The Welsh Government is currently considering responses to its public consultation exercise.

## Message of hope

This is a book full of hope. Real life stories show how struggling marriages can be turned around and begin to flourish, not only bringing stability and happiness to the couple concerned, but also providing a model that will give confidence to their children so that their own future marriages can thrive.

Benson also encourages couples who are secure in their marriages to reach out and support those who are struggling and to share their lives and wisdom with them. He adds that such support will be of more practical help than the advice of all too many counsellors who treat husbands and wives as separate individuals pursuing individual happiness, rather than viewing them as a unit seeking to find joy and contentment together.

In a nutshell, Benson writes: ‘So this is what mums want: Husbands, love your wife. Then she will love you right back. In that order.’

*Nicola Wells*

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