

# *Is it legal?*

**A families' guide to the law**

4th Edition

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This booklet should not be used as a substitute for expert legal advice. Families with a particular query should refer to the helpfile at the back of the booklet for a list of organisations to contact. Unless otherwise stated this booklet relates to the law in England and Wales.

## Legal advice

Choose a solicitor in the same way as you would choose any other service – by shopping around or getting a recommendation. Find one who specialises in your area of concern. Many solicitors offer an initial interview free or at a cheap rate, but always ask what their fees will be if you continue. In some cases you may be entitled to free legal representation: further information is available at the **www.directgov.uk** website, see the Government, citizens and rights/getting legal advice section.

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# 1. What the law says about parents and children

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## What is a parent?

That sounds like an easy question to answer, but it isn't necessarily. Being a parent in law is not always the same as being the biological parent, being on the birth certificate, raising or loving a child. In the majority of cases, a child's biological parents have the rights and responsibilities of parenthood. But sometimes the court may take over the responsibility for a child, for example, children who go to live with foster parents or in residential homes or who are adopted.

## The law on parents' and children's rights and responsibilities

There are some important Acts that try to define the different rights and responsibilities of parents towards their children.

### 1933 Children and Young Persons Act

This important Act imposes criminal liability for the abandonment, ill treatment or neglect of children under 16, and neglect can include failure to provide a child with food, clothing, healthcare and housing. This responsibility cannot be transferred, so a parent can still be liable even, for example, if a babysitter hurt or neglected the child.

### 1989 Children Act

This Act redefined the relationship between parent and child from the emphasis of duty and rights of the parent, to one of responsibilities. The Act uses the concept of 'parental responsibility' to describe the rights, duties, powers, responsibilities and authority parents have for their child. In this Act, a child is a person under the age of 18.



## Parental responsibility

Parental responsibility means being responsible for the child's wellbeing, making decisions about their schooling, religious upbringing and where to live as well as consenting to medical treatment and representing them in legal proceedings.

The law sets out who has parental responsibility. You have it automatically if you are:

- The biological mother of the child.
- The biological father of the child, and were married to the mother at the time of conception or birth, or you married the mother after the birth of the child or, for babies born since 2003, you registered the birth of the baby with the mother (even if the marriage later breaks down).
- You are adoptive parents once an adoption order is made.

Unmarried fathers do not always have automatic parental responsibility but will have if:

- The child was born after December 1, 2003 and the birth was registered by both parents (at the time of birth or by re-registering at a later date).
- The child was born before December 1, 2003 and a legal agreement has been made with the mother or a parental responsibility order has been made.

Unmarried couples wishing to obtain a parental responsibility agreement have to:

- Obtain a form from a solicitor or family court.
- Go in person to the local magistrates court or County Court to get it signed.
- Send it to the Principal Registry of the Family Division.

You should note also that an unmarried father who has not got parental responsibility would need to apply for a court order to obtain the right, if the mother dies.

## *2. Is it legal to...? Frequently asked questions*

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### ***Is it legal to smack my child?***

It is against the law for one person to assault another. At the moment it is not illegal for a parent to smack a child, but if the smacking goes beyond the line of 'reasonable punishment', a parent could be charged with assault. There is no clear definition of reasonable chastisement. It is unlikely to be thought reasonable if it leaves marks on the child, such as visible bruising, minor swelling or it causes mental harm, or if the child is hit with a cane, stick, belt or other implement. In such cases it is possible that a parent could be prosecuted for assault, and that the child could be taken into local authority care.

### ***Is it legal for children to work?***

The law about children working is complicated, involving over 200 pieces of legislation.

- 14 year-olds may do 'light work' only and cannot work for more than two hours on a school day; they cannot work before 7.00am or after 7.00pm on school days. On a Saturday or a day during the school holiday, they cannot work more than five hours and on Sunday no more than two hours. They cannot work more than 25 hours in one week and must have at least two consecutive weeks' holiday in a year.
- 13 year-olds are allowed to take part time employment, on a more restricted basis, if local by-laws allow it. This work would include employment by their parents in horticultural or agricultural work, or some categories of light work. Some local authorities allow 13 year olds to work; others forbid it. Local authorities set out the number of hours allowed a day, time of day, rest and meal breaks and other conditions. They are not allowed to set out longer hours than are allowed for 14 year-olds.
- Children under 13 are not allowed to work, with some exceptions. They can take part in performances, sports and modelling, but a licence needs to be issued.
- 15 and 16 year-olds are allowed to work, but not more than two hours on a school day, not before 7.00am or after 7.00pm. They can work for up to eight hours on a school holiday day or on a Saturday, and for up to 35 hours a week during the school holidays.
- No one under 16 can work in a butcher's shop, in a fairground or amusement arcade, deliver milk or work in a commercial kitchen.

16 and 17 year-olds are entitled to National Minimum Wage (NMW) of £3.64 an hour. The rate is £4.92 for people aged 18-20, (£2.50 for apprentices under 19 or in their 1st year) but children below school leaving age are not covered by NMW. The rate of NMW is changed annually on 1st October.

### ***Can I legally stop my child leaving home?***

A parent cannot stop a child leaving home by locking them in or physically restraining them. But parents have a legal responsibility for their children until their child reaches 16, so they can take action in court to bring their child back if he or she runs away. Once the child has reached what is known as the 'age of discretion' (around 16) it is very unlikely that the court would force the child back home, unless it could be shown that the child was in danger.

### ***Can my child go to the doctor without my knowledge?***

Children and young people can visit their doctor at any time. However, children under 16 can only consent to treatment if the doctor believes that they fully understand all the issues that are involved. If someone under 16 is judged not to be mature enough to consent to the treatment, the consultation itself can still remain confidential if the child wants it to. From 16, young people can consent to treatment, although if they refuse treatment, their decision can be overridden

more easily than with an adult. In some cases where decisions over treatment are difficult, for example, treatment for anorexia, the court may be asked to make the decision.

### ***Is it illegal to take my child on holiday during term time?***

There is no law making it illegal for parents to take their children on holiday during term time, although the Government and schools are strongly opposed to parents doing so. The law says that schools have the discretion to grant up to ten days' authorised absence in a school year. Each application will be considered individually by the school head, who will take into account factors like the child's general attendance record, the child's age, and the timing and length of the holiday. If parents take their children out of school without discussing it first with the school, the leave will be considered unauthorised, and the child could lose their place. The Department of Education has published a leaflet, *Is your child missing out? School Attendance: Information for Parents*, available on line at **[www.education.gov.uk/publications](http://www.education.gov.uk/publications)**

### ***Can my teenager buy fireworks?***

No one under 18 can buy fireworks. No one under 16 can buy caps, cracker snaps, party poppers or throwdowns.

It is an offence to throw fireworks in the streets, with an £80 fine. Under the Fireworks Act 2003, it is now illegal for under 18s to possess fireworks in public places.

### ***If my child injures someone or damages something by accident, am I liable?***

There is no cut and dried answer, but legal opinion suggests that a parent would not usually be liable. The court would have to determine whether the child had caused an accident through failing to take 'reasonable care' and so had been negligent. That decision would be partly based on the age and understanding of the child, but it is extremely unlikely that anyone injured or with damaged goods as a result of the child's negligence would sue the child. The parent is not automatically liable for the child's negligence and would only be liable if it could be proved that the parent themselves was negligent.

## ***3. Home life***

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The law has to tread carefully when entering the private world of the home. However, in the home, as in other areas involving children, there is a general duty to protect a child.

## Leaving children alone

It is not against the law to leave children on their own in the home. However, a parent could be charged with 'wilful neglect' if they leave a child alone when that may result in the child being harmed or injured. Leaving your child alone will depend on whether you and he/she feel comfortable and confident about doing so. The parent remains responsible for the child until the age of 16.

The **NSPCC** has produced a leaflet called Home alone for parents. It suggests that babies and young children should never be left alone and children under 13 only for short periods. See **[www.nspcc.org.uk](http://www.nspcc.org.uk)** or phone **020 7825 2500**.

## Babysitters

Contrary to common belief, there is no law setting out the minimum age for babysitters. Babysitters do not need any qualifications or a certificate. It is a matter for parents' judgement. Where a parent uses a babysitter under 16, and the child is injured in the babysitter's care, it is possible that the parent could still be held responsible and be deemed negligent.

## Buying a pet

Children can buy a pet themselves from the age of 16. The RSPCA website is full of useful information about choosing and looking after a pet. See **[www.rspca.org.uk](http://www.rspca.org.uk)**

## Buying on the internet

No one under 18 can buy goods using a credit card on the internet, just as in shops. However, several banks allow children as young as 12 to have debit cards, which can be used to purchase goods. Many companies use banner ads and pop-up boxes on sites visited by young people, and may not have any checks on age. It is possible to buy pre-paid cards, like mobile phone cards, which young people could use to make purchases online. In general, parents should make sure that their children understand the rules about online buying, and think about whether they are prepared to use their own credit cards for purchases their children might want to make.



## Downloading files from the Internet

There has recently been a great deal of media interest in file sharing and downloading from the internet, mostly related to music. Child Net International has produced an excellent guide for parents looking at the legal issues to do with sharing copyright music and film as well as the wider issues of harmful content/contact, privacy and security, and the legal risks. See **[www.childnet.com/downloading](http://www.childnet.com/downloading)**



## Chat rooms

Many, but not all chat rooms are monitored for inappropriate use, but because it is possible for people to assume different names, characters, and even ages, children need to be made internet-wise to protect themselves.

Chat rooms can be great fun, but families need to agree a few basic rules:

- Children should never give their name, address or phone number to someone they don't already know
- A child should never send photos to someone he or she has met in a chat room without telling their parents first
- Parents should be aware of which chat rooms their child is visiting
- Children should never arrange to meet anyone they have talked to online unless they are accompanied.

Many young people use Instant Messenger (IM). This is like texting a friend on a mobile phone. Instant messages can be sent to just one friend or a group of named friends. Strangers cannot enter this area without being invited, and it is usually used by a network of friends. There is some useful information on [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

## Watching DVDs

DVDs are classified according to whether the content would harm a child, and whether through watching the DVD, a child may cause harm. The DVD may not receive the same classification as when it was shown in a cinema. It is against the law to supply a DVD to anyone below the age stated in the classification. See "Going to the cinema" for more details on film and DVD classifications.

## Computer and console games

All computer and console games must by law have age ratings marked on the front and back of the box. Detailed information on the meaning of these ratings can be found at [www.askaboutgames.com](http://www.askaboutgames.com)

# 4. At school

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## Early education and childcare

Every three and four year-old child in England is entitled to a free early education place, for at least two and a half hours a day, five days a week, during term time. This may be at a nursery school or playgroup, or in nursery classes at schools, or with childminders who belong to an approved network. Your child is still entitled to this free education even if the place normally charges fees. To find out more



information, see your local authority's website. By law, all local authorities have to ensure that there is sufficient childcare available for all working parents who need it, especially those in lower income groups and those with disabled children.

## **Starting education at five**

Once a child reaches the age of five, you have a duty as a parent to make sure that your child receives a full-time education. This usually means attending school, but parents do have a right to educate their child 'otherwise than in school'. Children educated at home do not have to follow the National Curriculum or take SATs tests, but must be given an appropriate education. You do not need any special permission to educate your child at home or be qualified as a teacher either. By law, your child must start school on the first school day of the term following their fifth birthday. Some children's services admit these children twice a year, in the autumn and spring terms; others also admit children at the beginning of the summer term. Legally parents are entitled to wait until their child is five but schools often want to admit children earlier. Schools do not have to hold a place if the parent wants to wait, but some schools may allow for deferred entry. If you are worried that your child is too young to start school, it is a good idea to discuss it with the head teacher.

## **Is it my legal right to choose a school for my child?**

You have the right to state which primary and secondary school you want your child to attend and the reasons for your preference. But the Children's Services (CS) – or in some cases the school – makes the decision about which children to admit. The CS must meet parents' wishes unless:

- This would prevent the best use of resources at the school.
- This would exceed the limit on class size set by the Secretary of State (in infant classes up to 30 pupils to each qualified teacher).
- The school has a special identity, for example, a Catholic or Hindu school and your child does not have a link with that special identity.
- A child has been excluded from two or more schools in the last two years (this does not apply to exclusions that have been overturned or that took place before the child reached the age of five).

A parent has the right to appeal to an independent panel if their child is not offered a place in the chosen school. Information about choosing a school and about appeals should be available from Children's Services at your local authority, the school and your local library. You can also download two helpful booklets on choosing a school and making an appeal at [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

## **Is my child entitled to free school lunch?**

Families who receive Income Support, Income-based Jobseeker's Allowance, support under part VI of the Immigration and Asylum Act 1999 or Child Tax Credit

at the maximum rate with no Working Tax Credit may be entitled. Check with your child's school to find out how to claim.

### **Can schools charge for trips and activities?**

Schools cannot make a compulsory charge for events and activities, including transport or admission costs to museums, swimming pools etc. However they are allowed to ask for a voluntary contribution towards the costs. No child whose parents are unable to pay should be prevented from joining in the activity. But if there are not enough voluntary contributions and the school can't make up the shortfall, they are allowed to cancel the activity.

Schools are allowed to charge parents compulsorily for residential trips or music lessons. However the governors must determine a charging policy, saying when any charges will be made and when the costs may be remitted.

### **What if my child has to miss school?**

The law puts the responsibility for children attending school squarely on the shoulders of parents. If your child has to miss school for legitimate reasons, for example, a dentist's or doctor's appointment, you should inform the school. The Department of Education does not accept that shopping or birthdays are good reasons for missing school.

### **Can I be prosecuted if my child truant?**

By law, the parent is responsible for making sure children (up to 16) get a full-time education. Even if the child is missing school without the parent's knowledge, the parent is still responsible, and could be committing an offence.

The Children's Services (CS) will usually offer support and help to stop the child truanting, and the parent may be asked to enter into a Parenting Contract, with the school or CS, agreeing to make sure the child arrives at school on time and goes to bed at a set time. If all else fails the CS could prosecute the parent and this could result in a fine of up to £2,500 or imprisonment for up to three months. Magistrates can also impose a Parenting Order, which means that a parent has to go to a parenting class. Head teachers are now able to issue penalty notices of up to £100 to parents who fail to take responsibility for their child's regular school attendance.

### **What is the law on children being excluded from school?**

There are two kinds of exclusions – fixed period and permanent. It is not lawful to exclude a child indefinitely. It must be for a specified time, or permanent. Parents must take responsibility for their child whilst they are excluded. Parents are required to ensure that their child is not in a public place in the first five days of exclusion and the local authority will then have to make arrangements for the child to receive suitable education from the sixth day of exclusion.

**Fixed period:** A child cannot be excluded for more than a total of 45 days in one school year. Only the Head can exclude a child, and it must not be for minor offences such as not wearing uniform correctly, wearing jewellery, not doing homework or truancy.

**Permanent exclusion:** This is a very serious issue and should be done only as a last resort if all other strategies have failed. First time or one-off offences can lead to permanent exclusion if they are serious enough, for example, supplying illegal drugs or carrying a weapon.

The Advisory Centre for Education has written booklets for parents about exclusion, these can be downloaded on [www.ace-ed.org.uk](http://www.ace-ed.org.uk). They also have an Exclusion Advice Line **0808 800 0327**.

## Bullying at school

Every child has a right to learn in a secure and safe environment. All schools must have a bullying policy to deal with all types of bullying. This should include details of what the school will do if bullying occurs and a clear statement of sanctions, as well as measures to prevent bullying.

# 5. Out and about

## Playing out

There is no law prohibiting children from being out on their own at any age. Many parents worry about letting their children out; the most common concerns are traffic, and fear of their child being bullied or abducted. It is a matter of judgment for parents to decide when children can play out on their own or walk to the shops or school. It is helpful for parents to agree rules and arrangements before the child goes out, for example calling when they arrive at their friend's house or when they are about to leave. A survey of parents by Kidscape found that most parents allowed children:

- From age 9 to cross local roads
- From age 11 to use local transport during the day
- From age 12 to go with a friend to the cinema
- From age 15 to be out with a friend in the evening.



The Anti-Social Behaviour Act 2003 gave the police powers to disperse groups of two or more people, and to return to their homes young people under 16 who are out unsupervised in public places after 9.00pm. These powers apply only in specified areas, which must be notified in the local press. They are supposed to apply only to serious and persistent anti-social behaviour.

### **Swimming**

There is no law on the age limit when a parent can take a child of the opposite sex into the changing rooms, although some pools set their limit at 8 years old to coincide with the age they let children swim unaccompanied. Parents should use their common sense and be aware of the wishes and feelings of their children; once they are over 10 or so, it makes more sense for them to use same-sex changing rooms.

### **Mobile phones**

A child or young person under 18 can legally own a mobile phone, but cannot enter into a phone contract. If a parent acts as a guarantor or puts their name to the contract they are responsible for paying the phone bills.

Marketing and advertising through mobile phones will increase hugely over the next year or so. Both the Mobile Marketing Association, based in the US but with global membership, ([www.mmaglobal.com](http://www.mmaglobal.com)) and the Direct Marketing Association (based in the UK ([www.dma.org.uk](http://www.dma.org.uk))) have codes of conduct covering marketing to children, which are regularly reviewed and updated.

### **Going to the cinema**

The British Board of Film Classification classifies all films shown in the cinema or available on other formats, such as DVD. The BBFC's duties fall under various laws, including the Cinemas Act 1985 and the Video Recordings Act 1984. Current classifications are:

- U** 'U' films should be suitable for audiences aged four years up, and this is advisory classification.
- Uc** These films are particularly suitable for pre-school children.
- PG** Parental Guidance. Unaccompanied children of any age may watch and it should not disturb a child aged around eight or older, but parents should decide if they feel it is suitable.
- 12A** The classification is 12A in the cinema, and '12' for disc or downloadable copies. No one younger than 12 is allowed to see a '12A'/12 film in a cinema or buy, rent or download a copy, unless accompanied by an adult.
- 15** No-one younger than 15 can see a '15' rated film or rent, buy or download a copy.

- 18** No-one younger than 18 can see an '18' film or rent, buy or download a copy.
- R18** These films can be shown only in specially licensed cinemas to adults of 18 years upwards. They can be bought or rented only from licensed sex shops.

For a more detailed description of what levels of language, violence, sexual activity etc is allowed in each category; look on the BBFC's website, [www.bbfc.co.uk](http://www.bbfc.co.uk)

## Travelling

### *When should my child get their own passport?*

All children, from new-born babies up, must now have their own individual passport. Once they become 16, they can have a standard ten year passport. Before then, children have a five year passport. All applications, including those for babies and children, must be made with two photographs, and be signed by either parent. If parents are divorced either parent can sign if they were married at the child's birth or subsequently; if parents have never been married, then only the mother can sign unless the father has parental responsibility. If a child is in care then the local authority officer may sign. For more information and online application forms, go to the UK Identity & Passport Office, [www.ips.gov.uk](http://www.ips.gov.uk). Forms can also be obtained from Post Offices.

### *Seat-belts*

The law is very clear and specific about wearing seat-belts. Everyone (with few exceptions) must wear a seat belt if there is one fitted. A driver can be prosecuted if a child under 14 is not wearing a seat-belt.

Under 3 years:

- You must use a child restraint appropriate for the child's age in all vehicles
- Rear facing baby seats must not be used where there are air bags
- The only exception is travel in taxis without a child restraint.

3 years to 135cms or to 12 years (whichever comes first):

- You must use (in front and back seats) the appropriate child seat or booster seat/cushion, where seat belts are fitted
- Three exceptions are for the rear seat of taxis without a child restraint; short distance trips of unexpected necessity (where a restraint is not available); and where there is no room in the back because two child seats are already there.

12 years and over:

- Must use an adult seat belt if there is no child restraint.

Fines range from £30 to £500, if the rules are not complied with.

## **Cycling**

Under the Road Traffic Act 1988 it is an offence for anyone, including children, to cycle on the pavement, and the Police Reform Act 2002 introduced fixed penalty notices to people caught cycling on the pavement. If a young person is caught, and is deemed to understand, they could be issued with a fixed penalty notice and have their bike seized and auctioned off by the police. Policy guidelines, however, state that fixed penalty notices should not be given to anyone under 16. It is also a crime to cycle in shopping centres and on paths in parks. Fines of £20 can be issued, and those who do not pay will be taken to court. For safety reasons it may be a good idea to ensure that children attend a cycling proficiency course and find out where the cycle lanes are in your area.

### ***Are children required by law to wear cycle helmets?***

It is not compulsory to wear a cycle helmet. But cycling and road safety organisations strongly recommend that they should be worn, as they offer protection from falls.

Other laws about cycling:

- You must ensure that your brakes are efficient
- You must always stop when required to do so by a traffic warden or police officer
- You must not ride dangerously
- You must not leave your cycle on the road so that it might be a danger to others
- You must not carry a passenger on a bike which is not built to carry more than one person
- You must make sure that your front and rear lights are lit at night and that your cycle has an effective red reflector.

Useful information can be found at **[www.bikeforall.net](http://www.bikeforall.net)**

### ***Driving scooters, motorbikes and cars***

It is illegal to drive motorised scooters unless they are insured and taxed and registered with the DVLA. No one under 16 can ride them, even though they are less than 50cc. A young person can obtain a licence for a moped from the age of 16, and for a motorbike from 17. A young person can get a provisional driving licence for a car from the age of 17.

## 6. Growing up

Under the law, a child is a person under the age of 18. Once they reach 18, the law treats them as adults. The law offers special protection and provision to children under 18. But the law is inconsistent. Young people cannot vote until they are 18 but can fight in the army from 16. They must go to school until they are 16, and can be taken into care until 17, but are deemed criminally responsible at the age of 10. So, on the one hand the law considers them children in need of protection, and dependent on their parents, and on the other, as adults able to make, and be responsible for, their own decisions.

The law offers confusing messages to both parents and children. The list below should help parents and children know what they can do and when.

The Children's Law Centre has a useful resource: 'At What Age Can I?' available at

[www.childrenslawcentre.org](http://www.childrenslawcentre.org)

### Voting

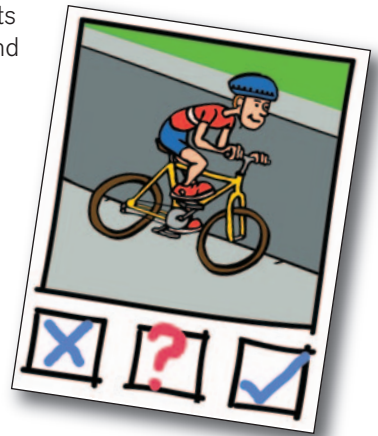
Young people can vote at 18. Information about voting can be found on the Electoral Commission website at [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

### Bank accounts

A child can have a bank account (and own property) from birth, with the parents able to operate it. Banks normally allow children from 8-12 to make their own deposits and debit withdrawals. From 13, most banks offer cashpoint cards, and over 16s can get a chequebook. No-one under 18 can have an overdraft, or a credit card. The advice website of the National Association of Citizens Advice Bureaux ([www.adviceguide.org.uk](http://www.adviceguide.org.uk)) has a useful section on young people, money and consumer rights.

### Age of consent for sexual relationships, and contraception

The age of consent for heterosexual and homosexual relationships is 16. Young people over 16 can obtain contraceptive advice and treatment without their parent's consent. Doctors can also provide advice and treatment to under 16s, if they believe that the young person is mature enough to understand. Other health professionals such as school nurses can also give contraceptive advice. Doctors usually encourage under 16s to tell their parents that they are seeking contraception. However, young people often want the service to stay confidential. Doctors owe a duty of confidentiality to their patients and may not tell a parent without the child's consent.





## Marriage and civil partnership

A young person can marry or register a civil partnership at 16 with the consent of the parents, and from 18 without parental consent. A marriage without the full and free consent of both people is a forced marriage and can be annulled as invalid. Force includes emotional pressure. For more information and advice contact the Foreign and Commonwealth Office, Community Liaison Unit email [clu@fco.gov.uk](mailto:clu@fco.gov.uk) or phone **020 7008 0151/0230/0135** 9am-5pm or **020 7270 1500** out of office hours.

## Armed Forces

A young person can join the Armed Forces from 16 with parental consent, and from 18 without parental consent.

## Tattooing and body piercing

It is illegal to tattoo anyone under 18. It is legal for children to have their ears and other parts of their body pierced from birth, with parental consent. There is no minimum age at which children can have body piercings without parental consent; the law is not clear, and, like other decisions to do with health, young people are able to give consent if they are considered mature enough to understand the issues and consequences of their decision. However, female circumcision is illegal, even if the circumcision takes place outside the UK.

## Airguns

Young people must be 17 before they can own or buy an airgun and ammunition for themselves. It is an offence to fire an airgun in any public place, defined as anywhere the general public has access.

## Smoking

It is not against the law for a child to smoke, but it is illegal to buy cigarettes before the age of 18. It is also illegal for shops to sell cigarettes to children under 18.

## Drugs

If a child of 10 or older buys or is given an illegal drug, he or she can be arrested and charged with possession of drugs, or with supplying drugs. If there is an illegal drug in your house, it is an offence and you could be charged with possession. The Misuse of Drugs Act 1971 classifies drugs according to their level of seriousness, with more severe penalties for the use of Class A drugs (ecstasy, LSD, heroin and cocaine) and less severe penalties for Class B (cannabis, speed) and Class C drugs (some tranquillisers). The Government's drugs helpline and website for young people, parents and carers, is [www.talktofrank.com](http://www.talktofrank.com), phone **0800 77 66 00**.

## Gases, glues and aerosols

It is not illegal for children and young people to use solvents, unless they are in a public place, but a shopkeeper can be prosecuted for selling solvents to anyone under 18, if they know the solvents will be used for sniffing. No-one under 18 can buy a butane gas lighter. It is illegal to sell aerosols to all under 16 year-olds, with a maximum fine of £2,500 if they break the law. Police have powers to stop and search young people they believe are carrying spray paint. The reason for the Government's action is to try to reduce graffiti.

## Alcohol

There is no law prohibiting children and young people from the age of five drinking alcohol at home. The legal age of drinking in pubs and licensed premises is 18. Children and young people under 16 cannot go into a pub on their own and they must be accompanied by an adult. 16 and 17 year-olds can drink beer, wine or cider with their meal if accompanied by an adult. The police have legal powers to confiscate alcohol from under 18s found drinking in public. Under the Licensing Act 2003 it is illegal to sell liqueur chocolates to a child under 16. It is an offence for anyone to sell alcohol to a person under 18 on licensed premises or knowingly to allow another person to do so. The Licensing (Young Persons) Act 2000 also made it an offence to buy alcohol on behalf of a person under 18.

## Gambling

Children over 16 can go into arcades but cannot play on machines with a payout of more than £10. There is no lower age limit for machines with a payout of less than £8. Children from 14-18 can enter a public house but cannot play on any machine on the premises with a payout of more than £10. From 16, young people can buy Premium Bonds, National Lottery tickets and scratch cards. Children must be 18 to go into a licensed betting shop or gaming club. A child under 18 can play bingo in a private club. If the bingo club is licensed a person under 18 may enter but cannot play until they are 18.

## Knives

Carrying a knife or similar object in a public place (including schools) is an offence. Shops must not sell knives or similar items to children under 18 (with the exception of small pocket knives). Since November 2010 a head teacher (or other authorised person e.g. another teacher) is allowed to search pupils and their possessions for knives, if they have reasonable grounds to believe the pupil has a knife at school. The person carrying out the search cannot require the pupil to remove any clothing other than outer clothing. The person doing the search must be of the same sex as the pupil being searched, and must be accompanied by another member of staff of the same sex. Schools can also now require pupils to undergo screening for weapons by using 'airport style' metal detector arches and

wants to do the search, even if there is no suspicion that the pupil has a weapon and the pupil has not given her/his consent to be searched.

## **Stop and search**

It is unlikely that your child will be stopped and searched by police, but it is useful to know about it. Stop and search is the term used to describe the right of police officers to stop and search people to detect certain types of crime. They can stop and speak to anyone at any time. But they should only stop people to search them if they have good reason to suspect a person is carrying: drugs, weapons, stolen property, tools to be used to commit a crime; or if the person matches a description.

No-one should be stopped and searched simply on the basis of their age, race, colour or looks. The police can only usually stop and search people in a public place, and can only ask people to take off their coat and jacket and gloves. They cannot ask people to take off any more clothing in public. Juveniles (children 10-17 years old) can be stopped and searched in the streets without an adult being present.

# **7. Children in trouble**

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The age of criminal responsibility (when a child can be held responsible if they commit a crime) in England and Wales is ten years and it is assumed that a child of ten and over has sufficient understanding and maturity to realise they have done wrong.

## **Crimes committed by children under 10**

If a child under ten commits an act which if he or she had been ten and over would have been an offence, the court can make a child safety order. The orders can also be made to prevent such behaviour, or if the child has behaved 'anti-socially' or is likely to cause alarm to others. The order means that a child can be placed under the supervision of a social worker or a Youth Offending Team worker to ensure that the child receives protection and support and is prevented from repeating the offence. Children under ten cannot be put in custody (that is, in prison or a secure training centre). They can be taken into local authority care.

A parenting order can be made at the same time as a child safety order. The aim of this is to provide support for the parents.

## **Crimes committed by children over 10**

Children and young people aged ten and over are considered in law to be responsible for a criminal offence in the same way as any other person. If a child or young person is under 18 her/his case will generally be dealt with in the youth

court. However, a young person aged 17 or over will be treated as an adult in some circumstances, for example, in relation to all pre-court matters and remand.

### **Antisocial Behaviour Orders**

These are under review but at present can be imposed by either the police or a local council against anyone from age ten upwards whose behaviour is considered antisocial. This is defined as causing damage to property, doing graffiti or behaving in a way likely to cause harassment, alarm or distress to people. The Order restricts where a young person can go, and what they can do, and it is a criminal offence to break the order. Breach of an ASBO will often lead to a custodial sentence.

### **Child curfews**

The local authority or a chief police officer can set up a local child curfew scheme. The aim of these schemes is to control unsupervised children aged up to 15 at night. A curfew notice would apply during specified hours, which must be between 9pm and 6am, for a maximum of 90 days. Local authorities (including social services) and the police have responsibility for administering this scheme. Before the notice is given, the local authority must consult with the police (or the police must consult with the local authority). There must be persistent anti-social behaviour in the area.

### **Child Safety Order**

A local authority social services department may apply to the magistrates' family proceedings court for a child safety order, with regard to a child aged under ten. The order may be imposed when the child has committed an act which would have constituted an offence if the child were ten or over; or to prevent anti-social behaviour or offending; or because the child is in breach of a local child curfew order.

If a child safety order has been made, the child will be supervised by a social worker or a member of the youth offending team. The court may impose further requirements, for example, ensuring the child receives appropriate care and protection. A child safety order will last for up to 12 months. The parent or guardian of a child who is the subject of a child safety order can apply to the court to have the court order varied or discharged. They could also appeal against the order. If the child fails to comply with the order, the court may make a parenting order or direct the local authority to consider applying for a care order.



## ***Gang Injunctions***

Gang injunctions are civil orders which can be applied for to prevent gang-related violence or to protect a person from gang-related violence. The police and local authorities can apply to the county court (or to the High Court) to obtain an injunction against a gang member aged 18 or over. The provisions for gang injunctions for young people aged 14-17 will be piloted by the Government in.

## ***Final warning system***

The final warning system has replaced cautioning. A first offence will bring a reprimand or a final warning, depending on how serious it is. After one reprimand, the next offence will bring a warning or a charge. If a young person receives a warning, they will be referred to the local Youth Offending Team.

## ***Youth Rehabilitation Orders***

For offences committed on or after 30 November 2009, the Youth Rehabilitation Order (YRO) is the community sentence for offenders aged under 18. If the court makes a YRO it can attach one or more requirements to the order such as a drug treatment or a curfew requirement. The length of the YRO cannot be longer than three years and there is no limit to the number of times an offender can be sentenced to a YRO.

## ***Restorative justice***

Under this scheme, the offender and the victim meet and the offender makes reparation, either to the victim or to the wider community, depending on the crime and what they agree at the meeting. The idea behind it is to give young offenders an understanding of the effects of their crime.

## ***Children and young people in custody***

The Home Secretary has the power to order children as young as ten to be locked up. Children aged 12-14 can be sent to a secure training centre if they are persistent offenders. Children 14 and over can be sent to prison.

## ***Are parents held responsible if their child commits a crime?***

Parents are not held directly responsible for the criminal acts of their children. However, there is a belief that youth crime is partly caused by poor parenting, and parenting orders can be imposed where:

- A child safety or an anti-social behaviour order has been made
- A final warning has been issued
- A child has already committed an offence
- A parent has been taken to court for failing to make sure their child attends school

- A child has been excluded from school for serious misbehaviour
- A parent has refused to enter into a parenting contract or breached their parenting contract.

A parenting order means that a parent must attend parenting guidance or counselling sessions for up to three months and exercise control of their child, for example ensure they attend school. Parenting orders have been extended to parents whose children are viewed as at risk of offending, even if they have not yet committed an offence. It can last for up to 12 months and breach of one is a criminal offence and can result in a fine of up to £1000 and/or community service.

A local education authority may apply for a parenting order where a pupil has been excluded from school, either permanently or for a second fixed period within the last twelve months, or, where a pupil has engaged in behaviour that would have warranted exclusion although the school has decided not to.

## ***8. Balancing parenting and employment***

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### **Right to ante-natal time off**

All pregnant employees have the right to take reasonable amounts of paid time off work for ante-natal appointments, including the travelling and waiting time. There is no legal right for fathers to have time off to attend ante-natal appointments. However the Government recommends that employers allow fathers either to take paid time off or to make up lost time later.

### **Maternity leave**

It is unlawful for an employer to allow a woman to work during her compulsory maternity leave, which is two weeks from the date of birth, or four weeks if the woman works in a factory. All women are entitled to 52 weeks' maternity leave, regardless of how long they have worked for their current employer. It is the mother's responsibility to notify her employers of her intention to take maternity leave by the 15th week before the week the baby is due. When she wants to return to work the mother must give her employer eight weeks' notice. She is entitled to return to the same job.

### **Maternity pay**

Women are either entitled to Statutory Maternity Pay (SMP) from their employer or Maternity Allowance (MA) from DWP. SMP can be paid for 39 weeks. The first six weeks are paid at 90 per cent of her average weekly earnings. The remaining 33 weeks are paid at a flat rate, £128.73 a week (from April 2011). To qualify for

SMP, a woman must have been employed for 26 weeks up to her qualifying week and on average earn more than the lower earnings limit of £102.00 (from April 2011). MA is for women who are self-employed or otherwise not entitled to SMP through their employer. The amount a woman receives depends on how much she earns, but to qualify, she has to have worked for 26 weeks during the 66 weeks before her baby is due. She must also have earned at least £30 a week in 13 of those weeks. It is paid for up to 39 weeks. The rate is £128.73 a week (from April 2011) or 90 per cent of normal wages if lower than the MA rate.

Adoptive parents have the same rights to maternity leave and pay as natural parents. The leave period is calculated from the date the adopted child is matched with the parent.

## **Paternity leave and pay**

Two weeks' paid paternity leave is now available for all partners who have been employed for at least 26 weeks at the 15th week before the baby is due. The leave has to be taken in a one or two week block and must be completed within 56 days of the birth (or expected birth if the baby is early) or an adopted child's placement. The payment is the same as SMP. Following paternity leave, employees have the right to return to the same job. Notice has to be given to the employer at least 15 weeks before the baby is due.

## **Rights during birth**

All parents have a right to a birth at home, but circumstances may change and a hospital birth may be advised. Although most doctors and hospitals welcome birth plans, for example electing a caesarean birth, they do not have a legal obligation to follow them. For more information on rights during childbirth, try

**[www.aims.org.uk](http://www.aims.org.uk) or [www.nct.org.uk](http://www.nct.org.uk)**

## **Registering your child**

Parents must register their child's birth within 42 days of the birth and this is usually done at the Register Office. A short birth certificate is given free of charge and a full birth certificate is available for a charge.

## **Vaccination**

A parent is not normally compelled by law to vaccinate their baby; it is a matter of parental choice and judgement. Parents are strongly advised to discuss vaccinations with their health visitor and doctor. In 2003, the courts ruled that two girls should be given the MMR vaccination against their mothers' wishes, after the separated fathers, who wanted the children vaccinated, had taken them to court.



## Returning to work

All women have the right to return to the same job if they return at 52 weeks or earlier or in very exceptional circumstances, an equivalent job on the same or better terms and conditions. Returning mothers have no legal right to work reduced or flexible hours on their return to work

## Flexible working

All parents and carers of children under 17 (under 18 if the child is disabled) have had a right to request flexible working, and the right to have that request taken seriously. You must have already worked for 26 weeks for your employer and comply with other conditions before you can exercise this right. A particular procedure is laid out for employers to follow in considering these requests and they can only turn the request down on one of a list of set grounds. For more information, go to [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk) or [www.dti.gov.uk](http://www.dti.gov.uk)

## Parental leave

Both parents can take parental leave. The right exists for most employees, if parents have been employed at least one year. Parents can take up to 13 weeks unpaid leave for each child (18 weeks if the child is disabled), to be taken in blocks of 1-4 weeks, up to the age of five (up to 18 if the child is disabled). Adoptive parents can take the leave up to five years from the date of placement of the child. Parents can take parental leave for each child. There is flexibility between employer and employee to arrange parental leave to suit them, for example, a few days at a time, or even the whole 13 weeks at once.

## Emergency family leave (time off for dependants)

Parents can take time off for emergencies, for example:

- When a dependant is ill or injured
- When childcare breaks down
- To deal with matters arising from the death of a dependant
- When a parent has to deal with an unexpected incident at school.

Employers are not legally obliged to pay for the leave. The amount of leave should be reasonable and not usually more than two days.

More info is available from [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)



## **Taking children to work in an emergency**

Occasionally parents may need to take their children to work, perhaps because the school is closed for the day. There is no law which prevents this, but whether it is acceptable or not depends on the company or organisation. The Health and Safety at Work Act 1974 requires all employers to make sure that a workplace is safe for employees and anyone who visits the premises. If a child had an accident at the workplace, the liability would depend on the individual circumstances.

## **Childcare**

### ***The law and pre-school education***

Pre-school education is extremely varied. It includes childminders, school nurseries, private, local authority or voluntary day nurseries and playgroups, but all must be registered and inspected by Ofsted. From the start of the first term after they reach three, all children are entitled to three terms of free education. The minimum is five two and a half hour sessions a week for 33 weeks of the year. To find out how to claim your place, visit your local authority website.

### ***The law and childminders***

In law, anyone who looks after one child or more under eight, on domestic premises, for reward, for more than two hours a day must be registered as a childminder (unless they are related to the children). Childminders are registered with, and checked by, Ofsted. Childminders in England are not allowed to look after more than three children under five (including their own) and three children under eight and are checked by the Criminal Records Bureau.

### ***Home childcarers***

Home childcarers look after children in the child's home, rather than their own home. A childcarer must be approved and already be a registered childminder. Children's relatives cannot apply to be home childcarers unless they are also prepared to look after other children as childminders.

**It is against the law for teachers, nursery workers, childcare workers, childminders and home childcarers to smack children.**

### ***The law and nannies***

Nannies are not covered by the same laws and regulations as childminders. There are no specific laws requiring them to be checked by the Criminal Records Bureau or to register with the local authority. Parents must make their own arrangements with nannies, but it is important to follow up all references. At present it is not against the law for nannies to smack the children in their care, as long as the parent agrees.

See **[www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)** for useful information about nannies, and other childcare options.

## ***After school clubs and holiday playschemes***

These clubs can be run by local authorities, voluntary organisations or private companies. They are usually run by session, and are inspected by Ofsted. Workers must be checked by the Criminal Records Bureau.

# ***9. Partners and parents***

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## **Marriage, registered partnership and cohabitation**

Cohabiting means living together without getting married or entering into a registered civil partnership (for gay couples). Cohabiting has increased substantially in recent years and many children are now born to cohabiting couples. But cohabitating couples receive less legal protection than married couples or gay couples who have registered as civil partners. Even if you have lived a long time with your partner and you have had children together, you will not necessarily acquire the same rights. There is no such thing in law as 'common law wife/husband'. Common law marriage was abolished in 1753.

## ***Registration of marriage or in a civil partnership***

While couples may perform purely religious marriage ceremonies and deem themselves to be married, the marriage is only recognised in civil law if it is registered and performed by an authorised person at a place which is licensed to perform marriages.

## ***Property***

Whether a couple is married, in a civil partnership or cohabiting property will not always automatically pass to the other party, so it is important to get legal advice on what arrangements need to be made in the event of separation or death.

Jointly owned property is owned in one of two ways:

- **Joint tenants:** The majority of properties are held this way. This means that if one legal owner dies, their share passes automatically to the survivor. However married spouses will not have to pay inheritance tax, whereas the surviving partner of a cohabiting couple will have to do so.
- **Tenants in common:** In this case, each person owns the stated share, and each may leave their share of the property to whoever they wish. The partner may have to pay tax.

## ***Tax and benefits***

If you cohabit, you and your partner are taxed as separate individuals. Married couples can transfer assets between themselves without having to pay Capital

Gains Tax, and can inherit assets from each other without having to pay inheritance tax. There is no distinction made between married and cohabiting couples or registered civil partners when being assessed for means-tested benefits, Tax Credits or Child Benefit. However some other benefits do take marital status into account, for example the Widowed Parents Allowance is only payable to widows who were married and to partners who have registered. Cohabiting partners cannot claim a widow's pension. Visit your local Citizens Advice Bureau for advice on specific tax and benefit claims.

### **Illness**

If one partner becomes ill, or mentally incapable of dealing with their financial affairs, the cohabiting partner may find it difficult to arrange things for them. In hospital there can often be a problem deciding who is next of kin, particularly if there are family disputes. There is no legal term 'next of kin'; however cohabiting couples could sign a Health Care Proxy and Living Will form, which can give authority to the cohabiting partner to participate in decisions about treatment and medical care. It is available from hospitals and from the Terence Higgins Trust, [www.tht.org.uk](http://www.tht.org.uk). Age UK also offer advice about living wills and health proxies.

### **Pensions**

The state pension is paid to individuals who have paid sufficient National Insurance (NI). The pension starts from the age of retirement. Married women who have not earned enough NI can get a pension based on their husband's NI, even if they are divorced. Cohabiting women who have not paid enough NI to qualify for a full pension may get a proportion. However if they have paid very little NI (less than 25%) they will not receive any state pension.

When a spouse or a registered civil partner dies, the surviving spouse is likely to receive a proportion of the pension of the deceased, but this is not the case for surviving cohabiters.

For information on your retirement pension age and entitlement go to:

[www.direct.gov.uk](http://www.direct.gov.uk)

### **Death**

If you are married or registered civil partners and you have not made a will, your entire estate on death goes to a surviving spouse, where there are no children, parents, brothers or sisters. If there is a surviving spouse and children, the spouse will get the personal possessions, and a fixed sum, currently £125,000 and a life interest on half of the rest of the estate. The other half will go to the children at age 18. The spouse will inherit any funds in a joint bank account. On their death, it will go to the children. If you are not married or a registered civil partner, you do not have the right to automatically register the death of your partner. If cohabiters have not made a will, the estate does not pass to the person you are living with.

Only jointly owned property held as joint tenants will go to the other co-owner. Get advice from a solicitor. Cohabiter are at a disadvantage in terms of inheritance tax, as unlike married couples, a surviving cohabiter will incur inheritance tax.

## **Separation and divorce**

Married couples need to go through a legal process to obtain a divorce or dissolution, but for cohabiting couples there is no legal process.

There is only one ground for divorce – the irretrievable breakdown of the marriage or civil partnership, which must be evidenced by one of five facts: adultery, unreasonable behaviour, desertion, separation for two years (if both partners agree), or separation for five years (if one partner opposes the divorce).

Couples in a civil partnership go through a similar process of dissolution: for useful details see various publications from Stonewall: [www.stonewall.org.uk](http://www.stonewall.org.uk)

## **Finance and assets**

**Married/registered civil partners:** Either partner can claim a share of the family assets, even if they are in the other's sole name. If the couple cannot decide the Court can make orders for the transfer of property and splitting of assets, including pensions. There are no fixed rules for dividing the money or other assets between the parties. When making a decision the first consideration is the welfare of any children of the household, the financial needs of the parties, the length of the marriage or civil partnership, the contributions both parties have made to the marriage or civil partnership (both financially and non-financially, the parties' earning capacity and the disability of any child.

**Unmarried:** One partner cannot automatically claim a share of the other partner's assets (for example, house or car) – only if it can be shown that either it is jointly owned, or that he or she has a stake in the property.

## **Maintenance for other partner**

**Married/registered civil partners:** After divorce or dissolution the first call on the non-resident parent's income is for maintenance for children. A married spouse or registered civil partner has a legal right to maintenance for themselves; courts will take various factors into consideration, like the income, earning capacity and financial resources of both partners, the contributions made to the welfare of the family, age and length of marriage and so on. Maintenance payments may be ordered for a certain period only. Sometimes couples adopt the "clean break" option, whereby courts impose a clean break financially for both partners. Maintenance for children is not affected by the clean break.

**Unmarried:** There is no legal right for one unmarried ex-partner to claim maintenance for themselves.

## ***Maintenance for children***

The non-resident parent has an obligation to maintain the children after separation (this may apply even if the child is not the child of both parents, if it has been treated as a child of the family). If parents cannot agree a level of financial support, they can make an application to the Child Support Agency for an assessment. The amount awarded will depend on the income of the non-resident parent. There is free, impartial advice available on how to make a maintenance agreement from Child Maintenance Options at **[www.cmoptions.org](http://www.cmoptions.org)**

## ***Money advice***

Divorce and separation can be a very stressful time and many people experience additional anxiety, worrying about the financial implications of splitting up. The divorce and separation section of the Money Advice Service website provides unbiased money advice that can help with these complex and stressful money issues. See **[moneyadvice.service.org.uk/divorce](http://moneyadvice.service.org.uk/divorce)**

The website gives information and guidance on all financial aspects of separation and divorce including the costs of providing for children and changing living arrangements. It also has an interactive **online calculator** which helps people to draw up a budget so that they can stay on top of their finances; work out what they have and what they owe; and it can create different scenarios to help consider how to split what they have. The Money Advice Service was set up by government and is funded by a levy on the financial industry. It is completely independent of both.

## ***Contact with children***

The Children Act 1989 sets out the law relating to all children after divorce, dissolution or separation. As long as both parents have parental responsibility, the law does not distinguish between married and unmarried couples. The Children Act abolished the old rules of custody and access and simplified the law. Parents do not have to go to court to sort out arrangements for their children – the courts much prefer parties to make their own arrangements. However, if no agreement is reached, the courts can intervene and make a decision based on the interests of the children.

The Children Act sets out a checklist of things to be considered in reaching a decision over arrangements for a child. The wishes and feelings of the children are a factor and the court will want to find out what the children want.

A residence order made by the court states where the child will live and with whom. These orders can allow shared parenting.

A contact order made by the court requires the person the child is living with to allow the child to visit or stay with the person named in the order.

In a civil partnership dissolution, the position is similar to a step parent married to one of the child's parents. You can obtain parental responsibility for the child by agreement with the other parent with parental responsibility or by court order

## Child abduction

The Child Abduction Act 1984 makes it a criminal offence for a parent, guardian or any person with custody to remove a child from the UK without the consent of another person with parental responsibility. If your child has been taken out of the UK without your consent or you are worried that your child may be taken out of the UK by your partner or spouse, you can contact any of the addresses in the Helpfile at the back of this booklet.

For more information about children and divorce, visit National Family Mediation [www.nfm.org.uk](http://www.nfm.org.uk). Family Lives (formerly Parentline Plus), the parenting advice charity, have lots of information on divorce, separation and contact with children on their website, [www.familylives.org.uk](http://www.familylives.org.uk)

# 10. Helpfile

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## Legal Advice

**National Association of Citizens Advice Bureaux**

Phone: 020 7833 2181

Online advice –

[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

Find a bureau –

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

**Community Legal Service (CLS)**

CLS Directory Line: 0845 345 4 345

[www.legalservices.gov.uk](http://www.legalservices.gov.uk)

**Children's Legal Centre**

National Education Law Advice Line:

0845 345 4345

Child Law Advice Line (not criminal)

0808 802 0008

[www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

**Resolution First for Family Law**

Phone: 01689 820272

[www.resolution.org.uk](http://www.resolution.org.uk)

**Advice Now**

[www.advicenow.org.uk](http://www.advicenow.org.uk)

## Marriage & Divorce

**Money Advice Service**

[moneyadvice.service.org.uk/divorce](http://moneyadvice.service.org.uk/divorce)

### Thinking about splitting up?



**Unbiased advice from the Money Advice Service can help you prepare for a fresh start.**

Our website helps you to work out your finances, what you have and what you owe, as well as how you might split what you have:

[moneyadvice.service.org.uk/divorce](http://moneyadvice.service.org.uk/divorce)

**About the Money Advice Service –**

We are here to help everyone manage their money better. We are independent. We were set up by government and are funded by a levy on the financial services industry.



**Action for Children**  
[www.actionforchildren.org.uk](http://www.actionforchildren.org.uk)

**Relate**  
Appointments booking line:  
0300 100 1234  
[www.relate.org.uk](http://www.relate.org.uk)

**National Family Mediation**  
Phone: 0300 4000 636  
[www.nfm.org.uk](http://www.nfm.org.uk)

**Child Support Agency – National Helpline**  
Phone: 08457 133 133  
[www.csa.gov.uk](http://www.csa.gov.uk)

**Child Maintenance Options – (not part of CSA)**  
Phone: 0800 988 0988  
[www.cmoptions.org](http://www.cmoptions.org)

## Wills & Legacies

**Age UK**  
Information Line: 0800 169 6565  
[www.ageuk.org.uk](http://www.ageuk.org.uk)

**Terence Higgins Trust**  
0845 1221 200  
[www.tht.org.uk](http://www.tht.org.uk)

## Adoption & Fostering

**British Agencies for Adoption and Fostering**  
Phone: 020 7421 2600  
[www.baaf.org.uk](http://www.baaf.org.uk)

**Fostering Network (formerly National Foster Care Association)**  
Phone: 0800 040 7675  
[www.fostering.net](http://www.fostering.net)

## Childcare

**National Childminding Association**  
Phone: 0845 880 0044  
[www.ncma.org.uk](http://www.ncma.org.uk)

## Child Protection

**Childline**  
Helpline: 0800 1111  
[www.childline.org.uk](http://www.childline.org.uk)

**NSPCC**  
Helpline: 0808 800 5000  
[www.nspcc.org.uk](http://www.nspcc.org.uk)

## Child Abduction

**Child Abduction Unit & Contact Unit (ICACU)**  
(Office of the Official Solicitor and Trustee)  
Phone: 020 7947 7906  
[www.officialsolicitor.gov.uk](http://www.officialsolicitor.gov.uk)

**The Foreign and Commonwealth Office Child Abduction Unit**  
Phone: 020 7008 0878; out of hours 020 7008 1500  
[www.fco.gov.uk](http://www.fco.gov.uk) (travel section – When things go wrong)

**Reunite, International Child Abduction Centre**  
Advice Line: 0116 2556 234  
[www.reunite.org](http://www.reunite.org)

## Internet Safety

**Think You Know**  
Phone: 0870 000 3344  
[www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)

## Support For Parents

**Familylives**  
Helpline: 0800 800 2222  
[www.familylives.org.uk](http://www.familylives.org.uk)

## Education

**Advisory Centre for Education**  
Advice line: 0808 800 5793  
(Mon-Fri 2-5pm)  
Exclusion Advice: 0808 800 0327  
[www.ace-ed.org.uk](http://www.ace-ed.org.uk)

**Education Otherwise**  
Phone: 0845 478 6345  
[www.education-otherwise.org](http://www.education-otherwise.org)

**The Department for Education**  
Phone: 0370 000 2288  
[www.education.gov.uk](http://www.education.gov.uk)

## Health & Safety

### Patients Association

Phone: 020 8423 9111  
Helpline: 0845 608 4455

[www.patients-association.com](http://www.patients-association.com)

### Child Accident Prevention Trust

Phone: 020 7608 3828

[www.capt.org.uk](http://www.capt.org.uk)

### Kidscape

Phone: 020 7730 3300  
Helpline: 08541 205 204  
Mon-Fri 10am-4pm

[www.kidscape.org.uk](http://www.kidscape.org.uk)

### Frank (govt drugs helpline)

Phone: 0800 77 66 00

[www.talktofrank.com](http://www.talktofrank.com)

### Brook (sexual health advice and services)

Phone: 0808 802 1234 Mon-Fri 9am-5pm  
(young people's information service)

[www.brook.org.uk](http://www.brook.org.uk)

## Maternity

### National Childbirth Trust

Phone: 0300 330 0770

[www.nct.org.uk](http://www.nct.org.uk)

### Association for Improvements in Maternity Service

Helpline: 0300 365 0663

[www.aims.org.uk](http://www.aims.org.uk)

## Work

### Working Families

Phone: 020 7253 7243

Legal Helpline for low income families:  
0800 013 0313

[www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

## Miscellaneous

### British Board of Film Classification

[www.bbfc.co.uk](http://www.bbfc.co.uk)

### Identity & Passport Service

Passport enquiries: 0300 222 000

Birth, marriage & death certificates:  
0845 603 7788

[www.ips.gov.uk](http://www.ips.gov.uk)

### Electoral Commission

Phone: 020 7271 0500

[www.electoralcommission.gov.uk](http://www.electoralcommission.gov.uk)

### RSPCA

Phone: 0300 1234 555

[www.rspca.org.uk](http://www.rspca.org.uk)

**When can children work by law, buy fireworks or go to the doctor alone? What does the law say about term time holidays? The laws affecting children and families are numerous and can be confusing. This 4th edition of our hugely popular guide continues to offer welcome clarification for everyone who has or who works with children and families. It covers all the most common questions from the age of consent to child curfews and computer games, as well as giving a thorough overview of the law affecting partners and parents, divorce and separation. The Helpfile gives a useful list of sources for all these and more areas.**

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