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# THE IMPORTANCE OF FATHERS

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Writing on this topic presents challenges for me.

I am privileged to be a father. Each day, I fill my role as a father to my two small children.<sup>2</sup>

I structure my life around my role as a father. I get my children ready for school each morning. I work school hours, so that I can take my children to and from school each day. Each evening, I cook dinner, and, after dinner, I put my son to bed and read to him.<sup>3</sup> This is not only the most enjoyable but, I feel, the most important part of my day.

But does being a father qualify me to talk about the importance of fathers? I don't think so. At best, it qualifies me to talk about *my* experience of parenting and why I think fathers are important.<sup>4</sup> And that is the beginning of why I find speaking on the topic challenging.

I am not used to speaking on topics that are very personal to me (and to every other father). In fact, doing so makes me feel uncomfortable. For many reasons, some of which will follow, I do not feel that I am or have ever been a “good” father. For the 10 years that I was a judge that self-doubt was a real

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<sup>1</sup> Over the last 40 years, Joe has worked as a lawyer, academic, mediator and Judge. But Joe's most important role is as father. Joe presently works as an online mediator in school hours, leaving ample time for parenting, especially storytelling, dog walking and growing corn

<sup>2</sup> I am also incredibly conscious of the privilege that allows me to do so. I am at a point in life where I am sufficiently financially comfortable to have the freedom to choose how I fill my days. I acknowledge that for the vast majority of parents, fathers and mothers, there is no such choice. The need to provide for themselves and their family severely limits their ability to choose what they do with their time.

<sup>3</sup> There is a division of labour in my household as regards bedtime routines. On occasions, I do my daughter's bedtime. This is not a conscious, gendered choice. It is my daughter's choice. If her mum is home, my daughter insists that her mum does her bedtime. If her mum is not home, then my daughter will permit me the privilege of doing her bedtime. Then she will snuggle up to me and let me read to her.

<sup>4</sup> I am conscious that family structures need not conform to a normative template. There are many, varied forms of family. Some families have a father, some do not. Some families may have two fathers. I do not believe that any person has a right or entitlement to comment on anyone else's family. I do not seek to do so. I do not seek to hold up the heteronormative family as superior to any other family structure.

monkey on my back. It meant that the “*imposter syndrome*” I already lived, was very real for me when it came to hearing and determining parenting cases. I really did not feel that I (or, for that matter, any judge, report writer or independent children’s lawyer) had a right to “*judge*” a parent.

Also, I am also conscious that this is not my first attempt at fatherhood. It is my second. And I am so very conscious that my first attempt was pretty poor. There was a lot I got very, very wrong. At the very least, I was not the most “*present*” father. So, in everything I say on the topic, indeed, everything I do each day this time around, I am conscious of the mistakes that I have made. And I judge myself for those mistakes, very harshly

Also, I do not believe that I have a close relationship with my own father. It pains me to say so. But at the ages that we now find ourselves, I doubt that we will ever be closer. And that brings with it an enormous sense of loss and a certain hollowness.

My colleague Laurence Boule, with whom I am honoured to co-present, has referred to the exercise undertaken with a group of Mongolian men, of having them write a letter to their father. In 2022 I undertook that exercise. I wrote a lengthy letter to my parents (jointly) pouring out my soul to them and thanking them for everything they had done for me. I felt I needed to do so whilst they were still alive (and they still are).

I didn’t want or expect a response. Yet I received one—a brief, handwritten letter in my father’s beautiful copper plate hand. In essence, it simply told me not to worry and to try and be happy. It ended with “*your mother and I both love you and are very proud of you*”. It did not really engage with anything I had said in my 12-page letter. But I had never expected that it would.

I make clear that I do not, in any way, judge or blame my father for this. He is a good man and a far better man than I. He was an extraordinarily hard-working man and a wonderful provider.<sup>5</sup> He enabled everything I have ever achieved in my life (along with the reformist Whitlam government - the likes of

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<sup>5</sup> I cannot help but feel that I inherited from my father the “*workaholicism*” that dominated my life for 30 years. I have learnt that there is more to life than work albeit that I have arrived at a level of financial security and privilege whereby I can choose what I do with my time and can refer to the need for full-time work as “a capitalist lie”. I am acutely aware that many men and women, many parents, in fact the majority, do not share that privilege and the freedom that comes with it.

which we have not had since and, sadly, may never see again – without whose reforms, I would likely never have attended University).

When I think of my relationship with my father, the phrase that comes to mind is that annoying social media construct “*it’s complicated*”.<sup>6</sup> We are, in some ways, very alike and in some ways, so very different. But also, when I think of my father, I think of the phrase that Eric Baker often used in judgements, that children need to know their parents “*warts and all*”. Part of the problem in our relationship is that I really don’t know my father, or anything of my family history, very well.

I am so very proud of my dad (and my mum). They left England (with my two sisters and I) and moved halfway around the world, to Australia, to start a new life and to provide a better life for us. There have been times that I have really questioned why they embarked on that expedition, but I never doubt their courage in doing so. Whatever their motives, I know it worked out for we kids. My eldest sister became the first person in our family, from the 1600’s to now, to go to university. I was the second.<sup>7</sup>

I know that I’ve done well (you can develop the KPIs however you like) and have done better than I would have done if my family had stayed in England. But it came with costs. One of those was growing up without any extended family or even any knowledge that such things, whether in general or specific terms, existed. It wasn’t until the second year of my law degree, sitting in a succession lecture, at 19 years of age, that I first really heard about extended family – grandparents, aunts, uncles and cousins.

And my parents, especially my father, were the epitome of immigrant stock – hard working to a fault. In fact, my father was very much a workaholic (one of the things we have in common). But this meant that my interactions with my father, growing up, were limited. I certainly remember and hold dear to me,

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<sup>6</sup> I feel that the relationships between men and their fathers are complicated. What makes our relationship all the more complicated is that I have never seen my father’s interaction with his father (indeed, I never met any of my grandparents, or any member of my family outside of my immediate “nuclear” family) and, so, have never experienced my father as a son. I once wrote and performed a poem about my relationship with my father. This was at a mediation conference in Canberra in 2019. A number of people spoke to me afterwards, some months or years after the conference, about that poem. No-one every spoke to me about, and I doubt they would remember (I don’t) the sessions I presented on mediation related topics. I have reproduced the poem at the end of this article (the one time, perhaps, my poetry is printed full size whilst Philip Larkin is consigned to a footnote).

<sup>7</sup> I’m happy to say that the University of Hull has, in recent years, turned out a few more members of my extended family with law degrees, including my nephew Blue and my niece Holly. I may have been first, but I am not last.

the times we did spend together and especially the times we spent doing things together. Those times were not all positive, but they were important and formative for me.<sup>8</sup>

And, perhaps, that personal understanding of the formative importance to me of my own father should be my starting point.

I have had the privilege in my life of meeting an extraordinary woman, Professor Cindy Blackstock. Once, while visiting Australia, Cindy gave a talk at my request at a Reconciliation Week event I had organised. Cindy happens to be a Gitxsan woman from British Columbia.

Cindy said something in her talk which resonated with me, being to the effect that we only value knowledge that is very new, from the latest research. And yet, First Nations people value wisdom that is millennia old.

In thinking about this presentation, on the importance of father, I have found myself continuously coming back to Cindy's words as, the more I read and considered the topic, the more I felt that the topic of importance of fathers should not be approached as a revelation of what we are now discovering but as a remembrance of what we have chosen to forget, at least in Euro-centric societies (as opposed to First Nations communities).

In Anglo-nomative societies, the role of fatherhood has changed dramatically since the industrial revolution. As opined by Roman Krznaric<sup>9</sup> in "...*pre-industrial society...in rural areas especially, family life and working life were based in the home. Running the household was a joint enterprise: while a wife rocked the baby, her husband built the cradle and cut hay for the child to lie on*".

The industrial revolution, the movement away from at home subsistence and the concentration of labour away from the home and into factories and urban centres, saw men (and women) leaving their homes<sup>10</sup> and, thus their

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<sup>8</sup> These memories fall within the category, as referred to in the animation "*Inside Out*" and "*Inside Out 2*", which I watched with my son, of "core memories" establishing "*memory islands*". And with the news this week that *Inside Out 2* is now the highest grossing animated film ever, they are, perhaps, worthy references.

<sup>9</sup> See Roman Krznaric's "*The Wonderbox: Curious Histories of How to Live*"

<sup>10</sup> Whilst the term "*Luddite*" has become a term of derision, implying that the person so labelled objects to progress and technology, this is, in my view, unfair. The Luddites were opposed to the destruction of their way of life, especially their home life, but also their communities, the increasing concentration of wealth and the means of production in the hands of a small, monied elite and the environmental impact of polluting factories. For a far more considered and favourable view of the

children.<sup>11</sup> The duality of patriarchy<sup>12</sup> and consumer capitalism<sup>13</sup> then led to an increasing burden of parenting falling to mothers (rather than fathers) and the establishment of what is often referred to, even today, as the “*traditional*” roles of men as bread winner and women as homemaker and parent.

American poet Robert Bly<sup>14</sup> points out that before the Industrial Revolution a son participated in what his father did. He worked with his father. He shared in his father’s world. But, as men (and women and children) began working outside of the home this disrupted family life. Children had, and continue to have, less access to their fathers than they did two hundred years ago. This arose not only from work outside of the home but from the normalising narratives that built up around this change – a man’s value became judged by his role as a provider (and thus an enabler of consumption).<sup>15</sup>

Through increasing work outside of the home, fathers are precluded from child-rearing. And it is by reference to this absence of fathers from the home and engagement in hands on child rearing that might be a convenient point to think about why fathers are important and what is lost by their absence.

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Luddites see Kirkpatrick Sale’s “*Rebels Against the Future: The Luddites and their war on the Industrial Revolution-Lessons for the computer age*”.

<sup>11</sup> At least, until the later 19<sup>th</sup> century, men who laboured outside of the home were separated from their infant children but not necessarily their children of 7 or so. Children were valued workers in early factories, especially textile mills and mines as their size allowed them certain advantages in accessing confined spaces and their labour was at a fraction of the cost of their adult relatives. The innocence of childhood as we now view it was the product of the Victorian era rather than the industrial revolution of the 18<sup>th</sup> Century.

<sup>12</sup> As Krznaric opines “...during the industrial revolution, between 1750 and 1900, men exerted their power by taking most of the new factory jobs, leaving women indoors to boil soiled nappies...[men] had to go out and earn cash to buy [commodities]. Men’s other traditional household crafts...were taken over by machines – but there were no clever gadgets invented to nurse a sick child. So, by the 20<sup>th</sup> century, women were left holding the baby while men walked through the factory gates. Men’s long-standing role in the household had become a distant memory”

<sup>13</sup> Marxism holds that the family structure enables the bourgeoisie (the elite ruling class) to pass down their capital and private property to their children, reinforcing class inequalities. This certainly has some merit, as regards the upper classes, and the role that law has played in protecting and preserving private wealth through inheritance and succession. However, Marxism also theorises that the role of the family is to produce the next generation of workers who will be exploited as labour and, further, that the family socialises children into accepting exploitation as “*normal*”, creating false class consciousness. On this basis, the nuclear family is theorised as only beneficial to the ruling class. This conception of the family is somewhat grim and devoid of love and human interaction as holding any value to the individual. I would opine that this is an unfair characterisation of the family and ignores that the socialisation of children is impacted by many sources external to the family such as media and religion to name but two.

<sup>14</sup> See his work “*Iron John*”

<sup>15</sup> The Marxists may have been harsh in their dismissal of the family as other than a tool of capitalism, but the role and importance of consumption in capitalism and wealth creation was very much correct.

## ***Why are fathers important?***

A straightforward answer might be that fathers are important because families are important.

A good starting point might be the *International Convention on the Rights of the Child*.<sup>16</sup> The International Convention is incorporated in its entirety as an object of the Family Law Act 1975.<sup>17</sup> The objects inform the way that the Family Law Act should be interpreted and applied and guides the outcomes that should be strived for.

The preamble to the International Convention asserts that, '*Childhood is entitled to special care and assistance.*' The Convention continues:

*Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community, Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.. “*

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<sup>16</sup> 2023/24 has certainly demonstrated that the United Nations, as a cohesive organ of international law, has some problems, not the least of which is the operation of the Security Council and its permanent members who can veto any resolution they desire, irrespective of the level of support the majority of nations may have provided to the resolution or how urgent the need for action may be. But the instruments of the UN, irrespective of how they may be interpreted and applied by individual nations, contain fundamentally prosaic, accurate and beautiful statements (very much as the United States Declaration of Independence does, with its opening preamble, familiar to all “*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness...*”, so powerful that it was, for example, adopted by Vietnam and other former European colonies as an aspirational statement of their freedom and declarations of independence, and notwithstanding that the beautiful and poetic statement, in the American experience, ignored the reality that many who ascribed their names to the declaration, owned slaves, considered First Nations peoples savages, etc. For an excellent discussion of these conundrums see “*We the (Native) People?: How Indigenous Peoples Debated The U.S. Constitution*” Gregory Ablavsky & W. Tanner Allread, Columbia Law Review 2023 Vol 123 No. 2 pp243-318.

<sup>17</sup> Section 60B Family Law Act 1975 now provides that the objects of the parenting provisions of the Act are “...to ensure that the best interests of children are met, including by ensuring their safety, and...to give effect to the Convention on the Rights of the Child”.

This portion of the preamble makes clear that the international community, the majority of the world's nations<sup>18</sup>, accept that the family<sup>19</sup> is the fundamental unit of society.<sup>20</sup> This must also, at least by implication, point to acceptance of the fundamental acceptance that

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<sup>18</sup> Curiously, whilst the United States has signed the convention, they remain the only nation state that has not ratified the convention. This might explain why the US administration feels no qualms with separating immigrant children from their parents and caregivers at border crossings and locking them in cages. But then, Australia has ratified the convention and, yet we feel no qualms in treating asylum seeking children as we do and persisting with declining rates of compliance with Bridging the Gap targets and with the national shame of the rate of removals of Indigenous Children by Child Welfare Authorities. The Federal government could, of course, use its constitutional power (s.51(xxvi)) to make laws about "Aboriginal" people and intervene in the State and Territory practices of child removal. In fact, in 2017 I drafted a Bill providing for exactly that and provided it to several politicians. But it takes will to act. Perhaps, Dr Yunupingu was right, as of course he was, when he sang with Yothu Yindi "Words are easy, words are cheap, much cheaper than our priceless land, but promises can disappear, just like writing in the sand" (Treaty) or as the Strokes sang, albeit not specifically of political promises "...they break before they're made" (Someday).

<sup>19</sup> I do not seek to suggest that the heteronormative family is the only type of family, nor that it is better or worse than any other type of family structure. I accept (perhaps out of step with the orthodoxy or established legal principle, that families, like homes, are what you make them and are personal to the individual and no-one else's business. *In a case I once decided Knightley & Brandon* [2013] FMCAFam 148, paras 36-38 (and quoted by the Family Law Section in a report on Parentage and the Family Law Act (2013), I had this to say:

*...the term "family" is not defined in the Family Law Act (although reference is made to "members of the child's family"). To the extent a "family" remains defined as a "nuclear family" (comprising parent/s and children), this would appear a particularly outdated and unnecessarily constrictive, heteronormative and white Anglo Saxon perspective which fails to recognise diverse views of family arising for and within families of difference. This is particularly clear and pronounced when considering LGBTQ [lesbian, gay, bisexual, trans and queer] families but also relates to diverse cultural perspectives including, as arises in this case, broader kinship connections and culturally appropriate familial and cultural assistance in parenting children. The configuration of "families", and thus the definition of both that term and "parents", has changed significantly since the Family Law Act was drafted and commenced operation in 1975. Each definition will, no doubt, continue to change and evolve" and the definition of parent, (since slightly modified by the High Court in *Masson & Parsons & Anors*) I described as "...a particularly outdated and unnecessarily constrictive, heteronormative and white Anglo Saxon perspective which fails to recognise diverse views of family arising for and within families of difference"*

<sup>20</sup> I am conscious of the tensions that this proposition raises in my own mind. I am very fond of the writing and poetry of Phillip Larkin and balance against this positive affirmation and embrace of the importance of the family, Larkins' oft quoted work "This be the verse". Whilst a footnote may not be the accepted place to quote poems in full, in this case, I believe, it is worthwhile to do so although, whilst, I see the truth of Larkins' sentiment, I choose not to adopt his perverse pessimism:

*They fuck you up, your mum and dad.  
They may not mean to, but they do.  
They fill you with the faults they had  
And add some extra, just for you.  
But they were fucked up in their turn  
By fools in old-style hats and coats,  
Who half the time were sippy-stern  
And half at one another's throats.  
Man hands on misery to man.  
It deepens like a coastal shelf.  
Get out as early as you can,  
And don't have any kids yourself*

children have the right to grow up in an atmosphere of happiness, love and understanding.<sup>21</sup>

But perhaps anyone can be “*family*” and can provide happiness, love and understanding within a family? Why are fathers different to anyone else?

A good starting point to more specifically answer this question is provided by the English Association of Child Psychotherapists<sup>22</sup> who opine “*Children need fathers – just as they need mothers – to love them, to be interested in them and to respond to their needs, making them feel valued and understood*”.

One might posit that if the importance of a father is for them to love their children and be interested in them, that any number of people, of any gender and whether biological connected or not, could achieve these purposes. But perhaps the answer lies more deeply.

David Blankenhorn<sup>23</sup> expands on paternal roles and their importance, suggesting four broad ways in which fathers benefit their children, being:

1. Physical protection;
2. Material provision;
3. “*Paternal cultural transmission*” – the ability to contribute to the identity, character and competence of a child; and,
4. Day to day nurturing – feeding children, playing with them, telling them stories, etc.

The US Department of Health and Human Services went so far as to produce an extensive reference manual focused upon the importance of fathers in the healthy development of children.<sup>24</sup> Whilst many ways in which fathers are important to the healthy development of children are identified, an early statement of the authors would resonate with dispute resolvers working with separated parents:

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<sup>21</sup> As dispute resolvers we might reflect on how litigious, adversarial, court-based processes can possibly meet this right, for the children of separated parents, or those involved in the “child protection” system, to grow up with family let alone in an atmosphere of “happiness, love and understanding”. I have previously spoken on this point – see “The Centrality of the ‘Family Dispute Resolution’ Process to the Separating Family, the Community and the Administration of Justice” Australian and New Zealand Journal of Family Therapy 2019, 40, 8–23

<sup>22</sup> See [Fathers - Understanding the Vital Role That Fathers, & Father Figures, Play in Children's Emotional Development \(accessible at www.childpsychotherapy.org.uk\)](http://www.childpsychotherapy.org.uk)

<sup>23</sup> See “*Fatherless in America: Confronting our most urgent social problem*”.

<sup>24</sup> Jeffrey Rosenberg & W Bradford Wilcox, Child Abuse and Neglect User Manual Series “*The Importance of Fathers in the Health Development of Children*” 2006.



*“One of the most important influences a father can have on his child is indirect – fathers influence their children in large part through the quality of their relationship with the mother of their children. A father who has a good relationship with the mother of their children is more likely to be involved and to spend time with their children and to have children who are psychologically and emotionally healthier”.*

This might be seen as a reference to the maternal “gatekeeping” role with which dispute resolvers would be familiar. However, more positively, this passage, as the authors go on to explain, embodies an important aspect of parenting, namely, behaviour modelling:

*“One of the most important benefits of a positive relationship between mother and father...is the behaviour it models for children. Fathers who treat the mothers of their children with respect and deal with conflict within the relationship in an adult and appropriate manner are more likely to have boys who understand how they are to treat women and are less likely to act in an aggressive fashion towards females. Girls with involved, respectful fathers see how they should expect men to treat them and are less likely to become involved in violent or unhealthy relationships”*

The real developmental benefits to children of involvement with a caring father are clearly spelt out as including:

1. Better educational outcomes;
2. Higher IQs;
3. Better linguistic and cognitive abilities;
4. Being more patient and better able to handle stress and frustration;
5. Better emotional security;
6. More secure attachment with, not only their fathers, but other care givers, including mothers;
7. Better regulation of emotions, feelings and behaviours;
8. Greater independence, self-confidence and self control;
9. Less likely to be depressed and/or anxious; and,
10. Better physical and mental health and less likely to abuse drugs and alcohol.

These are real, tangible and life affecting benefits. One can only hope that these benefits that fathers provide to their children<sup>25</sup> might be considered by courts when interpreting the May 2024 amendments to the Family Law Act,<sup>26</sup> when considering and interpreting the new, express focus of the legislation- “*safety*.”<sup>27</sup>

Current dialogues regarding men and their role in families, are dominated by considerations of violence and reference to “*toxic masculinity*”. In light of this, it is not surprising that we attempt to define what a “*good*” father is. My concern is that the benefits to children of having a present and involved father<sup>28</sup> in their life, are not prefaced upon or determined by a father meeting

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<sup>25</sup> There is, of course, an issue of “*capacity*” and of balance of risk. Some fathers (and some mothers) do lack capacity to provide benefit to their children, especially a sense of safety and security. But often, even in cases with concerns as to capacity, it is complex, it is not “*black and white*”. A litigious address of disputes is, inherently, judgemental. Everyone involved in the decision-making process is judgemental. Parents, often affected by trauma, grief and distrust, criticise and judge each other. An adversarial process accentuates this trauma and distrust. Adversarial systems are not therapeutic. Whilst the legislation may provide that the primary (though not exclusive) consideration is a child’s best interests, it is the protagonists, the adversaries in the proceedings, hurt, distrustful and damaged parents that define the agenda of the court’s considerations. It is “*their*” dispute. Parents, with their lawyers prepare and present evidence. Family reports and assessments are prepared by strangers, whose qualifications to advance expert opinions are assumed, and which rely upon the evidence party’s advance. The report writer’s assessment and opinions arise from an artificial environment (their rooms or the court premises rather than the child’s home or external, lived environment) and all too brief observation sessions. Those opinions are a judgement of parents and, from 40 years of interaction with such disputes, certainly received and perceived by parents as judgement of them. Independent Children’s lawyers do the same-they form opinions based on the evidence the parents lead or as may be otherwise gathered (in combination of their own beliefs, prejudices and knowledge of the law) and they express those views, perceived by parents as being judged. All of these “*judgements*” compare parents, without any significant appreciation of their lived experience, to a rarified standard of a desirable, acceptable or “*good enough*” parent.

<sup>26</sup> I do not propose to buy into what are sometimes described as “*the baby wars*” nor the “*gender wars*”. Family law and the courts that deal with families affected by separation have been a political football for decades and with the result that the legislation applied to separated families and the application and interpretation of that legislation by courts has become politicised. In particular, I find it highly regrettable that the Family Law Act no longer mandates a consideration, mandatory or otherwise, of the benefit to a child of a meaningful relationship with both parents as I feel that the absence of such a relationship, absent unacceptable risk, has a real potential to impact a child’s safety and especially their emotional safety.

<sup>27</sup> To be clear, safety is fundamentally important to every child (and every person). The term safety is largely used in the Family Law Act, however, in combination with a consideration of family violence (which has a broad definition, focused upon a typology of coercion and control (a term not defined in the Act), as set out in s. 4AB “*...violent, threatening or other behaviour by a person that coerces or controls a member of the person’s family...or causes the family member to be fearful*”. Other than the object in s.60B (compelling a consideration of safety in assessing a child’s best interests), a consideration of safety is required by s.60CC (where safety is expressed as including [thus, not confined to] safety from exposure to family violence, abuse, neglect of other harm), and s.60CG which specifically connects a consideration of safety if a court considers that there is a risk of family violence. One would hope that a nuanced consideration of safety might develop which anticipated a lack of safety in arrangements that might lead to obviation of the accepted benefits to children from a relationship with their fathers.

<sup>28</sup> By referring to a present and involved father, I do not, in any way, seek to mathematise how a relationship might be practiced. Time arrangements need not be equal to secure the benefit of a

someone else's definition or expectation of what might be a "good father". I would suggest that, provided that a father was not a positively unacceptable risk to their child, if they were known to and/or interacting with their child, that they are important to their child and able to bring benefit to the relationship.<sup>29</sup>

It is befitting the topic of this paper that I should leave the last words to and by reference to my 3-year-old daughter.

Just before completing this paper, I received of a new post about my daughter on her Day Care Centre's platform. The story was about my daughter playing with her baby (a doll) in the sandpit. She gave the baby a bottle, then put her to bed and covered her with a (sand) blanket, being careful not to cover her face so that she was able to breath. She then patted her baby to sleep, just like I do when I do her bedtime.

The story reports that the educator asked her "*what do babies need?*" and my daughter responded with "*grown ups to hug them all tight*".

The story concludes with a comment by the educator:

*"It is great to see that [she] has an understanding and has taken from her real-life experiences of what a baby needs and how she can take care of a baby"*

Indeed, it is. Because that's what fathers (and mothers and grandparents and others) do. They model behaviour and meet children's needs, physical and emotional, and by doing so they provide the love, care, nurture and education that children need.

But then, just as I thought I had the perfect ending, I thought that I would go one better and use my daughter as a research sample of one. After I had gotten her dressed, I was brushing her hair and thought that she might give

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parent (or another person). Time is how a relationship is practiced and not its definition. Relationships require time to develop (especially with younger children) and provide the opportunity for the practice of relationships. But relationships, to be meaningful, require and depend on so much more than time (and that was a nuanced approach that was and largely remains absent in political discourse (and using the term political in its broadest sense, in the discourse within circles of decision makers and in judgements)).

<sup>29</sup> And that benefit or its absence or exclusion should, in my view, be part of a consideration of "safety" and a child's best interests more broadly.

me some real insight and wisdom with which to end my discourse and so we had a conversation. I asked her “*Why do you think daddies are important?*”<sup>30</sup>

My daughter put her finger to her chin and took a moment to contemplate her answer, then smiled and answered “**POOH**”.

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<sup>30</sup> Any lawyer would know that this question is problematic for two reasons. Firstly, it is an impermissible leading question that relies upon the witness accepting the underlying premise of the question which has not yet been accepted by them or established by otherwise admissible evidence. Secondly, it breaches the established principle that you should never ask a question that you do not already know the answer to. Thankfully, when I repeated the question later in the day, the answer changed to somewhat more helpful response, for the purpose of this paper, “*because you love me*”. This also provided some degree of confirmation for that opined (above) by the English Association of Child Psychotherapists.

I remember you  
your hand, holding mine  
as we walk past the high street shopfronts  
The slow red buses rolling by  
conductors on their platforms  
waving to us, you waving back  
your hand large and strong  
enveloping mine

The cool mist of the South London autumn wets my skin  
The sunlight, diffused by sooty clouds  
as we walk to the railway bridge  
Your hands around my waist, lifting me up  
to stand on the dark bricks  
Looking down at the rails and the stones and the litter beneath  
as the first wisps of warm air drift up from the tunnel  
before steam explodes out  
preceding the enormous locomotive  
hurtling towards Waterloo  
with the smell of iron and coal and power.  
In that moment there is only you and me  
your hands strong, holding me firm  
protecting me  
I remember you  
holding my hand  
And I realise that I remember those mornings

Because they were so few  
I remember you, holding my hand  
the way I now hold your hand  
mine enveloping yours  
my hand strong and firm yet gentle  
and yours, weak and wrinkled and cool  
Yet still, as the monitor beside you beeps  
you speak of "*rivers of blood*" and "*queue jumpers*"  
and how Brexit will give England back to the English

I realise that this might be the last time we talk  
our last chance to hear each other  
our first chance to hear each other  
I don't want to remember you like this  
I want to remember you as the man I loved  
the man who loved me  
when you held my hand and nothing else mattered