

# FAMILY LESSON PLAN: Parents and children

## Learning objectives

- To help students understand the nature of a parent's basic legal obligation to care for and protect their children.
- To enable students to apply the law concerning the care of children to a number of everyday situations.

## Learning outcomes

**All** students should know that parents have a legal duty to protect and safeguard their children.

**Most** students should be able to apply the law concerning the care of children to a number of everyday situations.

**Some** students will be able to present a reasoned argument as to why the law in this area should be changed or remain as it is.

## Resources

- **YCP** – pages 69-73
- **Starter** (p.4) – The law in Scotland
- **Main** (pp.5–7) – Home alone and Home alone – answers

## Curriculum references

**England:** Citizenship: **KS3**, the political, legal and human rights and responsibilities of citizens; the roles of law and the justice system; **KS4**, political, legal and human rights and freedoms in a range of contexts from local to global; the roles and operation of civil and criminal law and the justice system; **Post 16**, demonstrate knowledge and understanding about citizenship issues; show an understanding of key citizenship concepts.

**Wales:** PSE Framework, 7 to 19-year-olds: **KS3**, understanding the features of effective parenthood.

## Activities

### Starter

- Begin the session by asking students to think about some of the responsibilities and rights of parenthood. Develop the discussion through a series of questions, such as:
  - *Probably most of you will be parents later in your lives; what do you think would be some of the good and bad things about*

*being a parent? What would be the difficulties?*

- *What is the job of a parent?*
- *What sort of things should parents be responsible for?*

It is this last question which is the main focus of the starter activity. Ask students, in twos or threes, to draw up a list of the kinds of things for which parents should be responsible. As a stimulus, you may like to use the photographs on page 69 of the *YCP* (which opens the *Family* chapter), or to print off, or use, a series of images from the Internet. (Entering the words *parent* or *parents* into an image search engine will produce a good range of pictures.)

- Students' answers are likely to include:
  - financially supporting their children
  - teaching them right from wrong
  - feeding, caring and looking after them
  - making sure they go to school
  - teaching them the right values
  - protecting them from harm
  - teaching them respect
  - teaching them discipline
  - encouraging them to be confident
  - loving them.

Other suggestions might include:

- choosing a child's name
- registering their birth
- choosing a school
- ensuring they are brought up in a religious faith.

- Make a note of students' answers, and move the discussion on by asking which suggestions they feel should be compulsory by law.

Encourage students to explain and justify their views, and then ask them to check and review their ideas by looking at pages 70–73 of the *YCP*.

Is there anything they feel should be added to this list? If so, why?

- Point out to students, as indicated in the text, that the legal duties and rights of parents are not spelt out or listed in a single law. Instead, they are described in the general, but slightly

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abstract, notion of *parental responsibility*. This is described in general terms on page 72 of the *YCP*.

(Parental responsibility is defined in the *Children Act 1989* as 'all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to a child and his property'.)

- If you would like to take this further, explain to students that, unlike the law in England and Wales, the law in Scotland *does* specify parental responsibilities and rights.

These are set out on page 4 of these notes, and may be used to prompt a number of questions; for example:

- What are the advantages of specifying parental responsibility in this way? Are there any disadvantages?
- Does the law in Scotland touch upon any areas not yet covered in discussion?
- Would it be helpful to have parental responsibilities spelt out in more detail?

If time is available, you may also like to ask students about what sanctions they feel should be available when parents fail to uphold their responsibilities.

In such circumstances a (sheriff) court may make a decision on behalf of the child's parents, or give someone else parental responsibility. Problems may be drawn to the attention of the court by children, as well as adults. Further details of how the system works in Scotland are given on the Scottish Government website, <http://www.scotland.gov.uk/Publications/2006/04/27135509/1>

## Main

- This next section looks in more detail at parental responsibilities – and, in particular, at the law surrounding leaving a child alone, or in the care of someone else.
- Ask students to read through pages 72–73 of the *YCP* and to identify all the *duties* of parents that are mentioned.

When students have had enough time to do this, go through their answers. Their lists are

likely to include reference to the duty of parents' to:

- look after and care for their children until their child reaches 18 years of age
- discipline their child
- make sure their child has a suitable full-time education.

Explain that you would like to look in more detail at parents' duty to look after and care for their child and how this might apply in a number of situations.

- Give each pair or small group of students a set of the **Home alone** slips on page 5 of these notes. This comprises five case studies and the detailed wording of the law (taken from Section One of the *Children and Young Persons Act 1933*) covering the care and support of children under 16.

Ask students to read through each case and to decide how the law applies to each one. (Before beginning this task, some students may welcome help in 'unpacking' and clarifying these legal details.)

- Now go through students' answers trying, as always, to encourage students to explain the reasoning behind their views.

Comments on the cases are given on **Main 2**, pages 6–7.

## Plenary

- In this final section, draw students' attention to the text on babysitting, the *YCP* page 73, which emphasises the duty of parents to find a responsible babysitter for their child, preferably aged 16 or over.

It is likely that many students will have babysat for friends or family, and quite possibly done this when they were below the age of 16.

This gives rise to a number of questions:

- Were students aware of the age limit surrounding babysitting (there is a common myth that it is 14 years of age)?
- Is the current law reasonable?
- Should the law be changed?

- Close the session by raising the bigger issue of the suitability of the current law in England and Wales. Would it be preferable to have

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legislation that was less open to interpretation?  
For example: setting a minimum age for leaving a child alone, and a minimum age for babysitting? Or is it preferable for the interpretation of the law to rely on circumstances such as the maturity of the child, precautions taken by parents, the length of time the child is left alone, and the degree of danger in which the child is placed?

Some people take the view that the law should not tell parents how to bring up their children. To what extent would students support this idea?

Further information on the law surrounding babysitting and leaving a child alone is available from the NCPCC website, [http://www.nspcc.org.uk/help-and-advice/for-parents-and-carers/parenting-advice/home-alone/home-alone\\_wda90761.html](http://www.nspcc.org.uk/help-and-advice/for-parents-and-carers/parenting-advice/home-alone/home-alone_wda90761.html)

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## Starter

### The law in Scotland

Under the *Children (Scotland) Act 1995*, a parent's responsibilities are ...

- to safeguard and promote their child's health, development and welfare
- to provide direction and guidance in a manner appropriate to the age and development of the child
- if the child is not living with the parent, to maintain personal relations and direct contact with the child on a regular basis
- to act as the child's legal representative, but only so far as compliance is practicable, and in the interests of the child.

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## Main 1

### Home alone

**Shona** works part-time from 6p.m. to 10p.m. each night. Her partner, Michael, normally gets home from work by 5p.m., but is sometimes delayed if there is a late delivery at the warehouse. On these occasions, Shona leaves for work before Michael gets home, leaving their 18-month-old daughter alone for up to two or three hours.

**Gareth** decides to let his two children, aged two and four, remain sleeping in the car as he goes into the supermarket. He is away for about 20 minutes, leaving the car unlocked so that the children's movements do not set off the alarm.

**Jenna** leaves her 15-month-old son quietly playing in his cot as she takes something round to her next-door neighbour. Jenna locks the front door and is out of the house for no more than five minutes.

**Maria and Graham** go out to their friends for a meal. They leave the house at about 7p.m. and explain to their two children, aged six and twelve that they'll be back by midnight. They tell their eldest child to ring them on the mobile if there is any kind of problem.

**Laura and Emily**, aged nine and ten, ask both their mums if they can walk round to the local park, which is about five minutes' walk away. They promise to be back in an hour.

### The law

Under the *Children and Young Persons Act 1933*, it is an offence for any person aged 16 or over with responsibility for a child or young person to willfully assault, ill-treat, neglect, abandon, or expose or cause him/her to be assaulted, ill-treated, neglected, abandoned, or exposed, in a manner likely to cause unnecessary suffering or injury to health (including injury to or loss of sight, or hearing, or limb, or organ of the body, and any mental derangement).

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## Main 2

### Home alone – answers

**Shona** works part-time from 6p.m. to 10p.m. each night. Her partner, Michael, normally gets home from work by 5p.m., but is sometimes delayed if there is a late delivery. On these occasions, Shona leaves for work before Michael gets home, leaving their 18-month-old daughter alone for up to two or three hours.

*Although we don't know the exact circumstances of the little girl when she is left alone, there remains a strong possibility they she may become distressed or injured without responsible adult supervision and support.*

*There have been a number of cases of parents who have been prosecuted in similar circumstances. In 2009, a mother was jailed for nine months after leaving her two-year-old daughter alone for four hours. Neighbours had alerted the police after becoming concerned over the little girl's cries.*

**Gareth** decides to let his two children, aged two and four, remain sleeping in the car as he goes into the supermarket. He is away for about 20 minutes, leaving the car unlocked so that his children's movements do not set off the alarm.

*Leaving the children alone and in an unlocked car raises the possibility of them waking and getting out of the car and wandering onto the road. It is likely that a court would see that leaving children of these ages for 20 minutes alone in a car (locked or unlocked) was excessive, and a parent could face charges of neglect or abandonment.*

**Jenna** leaves her 15-month-old son quietly playing in his cot as she takes something round to her next-door neighbour. Jenna locks the front door and is out of the house for no more than five minutes.

*It does not appear that the child is likely to come to any harm during such a short period of time, nor is he likely to be seriously upset if his mother does not immediately answer his cries. Although this situation is not desirable, it is unlikely that a parent would face charges in such circumstances.*

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**Maria and Graham** go out to their friends for a meal. They leave the house at about 7p.m. and explain to their two children, aged six and twelve that they'll be back by midnight. They tell their eldest child to ring them on the mobile if there is any kind of problem.

*Important factors here include the maturity and nature of the both children – particularly the elder – and how long it would take for the parents to return home in an emergency. However, generally speaking Maria and Graham's actions would be regarded as being against the law unless, for example, arrangements had been made for a reliable next-door neighbour to check on the children and to be available in the event of any difficulty.*

**Laura and Emily**, aged nine and ten, ask both their mums if they can walk round to the local park, which is about five minutes' walk away. They promise to be back in an hour.

*The Children and Young Person's Act does not distinguish between children being left at home and being allowed out alone or unsupervised. The key issue is whether the parents' action was negligent and whether they did enough to ensure their children's safety.*

*This example is probably quite difficult to judge. If the children were younger and had an accident or came to harm, there is a possibility that the parents may face prosecution. However at nine and ten, they are probably on the cusp of some level of independence. Key factors in this case include: the children's maturity, whether they had to cross or walk along a busy road to reach the park, and whether the park itself was regarded as a safe area for children.*