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Housing for Lone Mothers and their Children

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the Degree of Master of Philosophy

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## INTRODUCTION

Rising rates of divorce and remarriage in recent years give the impression that the view of marriage in our society as a lifelong, exclusive and continuing relationship is fading. And hence a growing number of adults and children are experiencing life in a one parent family, some for a very short time, others for a long period of years. This reflects the changing roles of men and women but also, more conclusively, the greater scope women now have in surviving without a man: more jobs, more housing and greater public acceptance of one parent families. However in order for a woman and her children to survive they must have a secure income and a secure home. Without the former it will be difficult, if well nigh impossible, to attain the latter.

This study deals with the housing of one parent families. It is about the difficulties if any which mothers and their children experience in retaining or acquiring a home following the loss of a husband or partner. It examines the position of such women relative to their opportunities of access to housing. Are women more able to keep the housing they need or want? In what senses are they disadvantaged and how has the position changed since the early seventies?

The most influential factor in determining the ability of women to gain control over their housing has been their financial status. Accordingly Chapter 2 considers the effects of women's material circumstances on their access to housing. Women's earning power in the present is largely derived from the concept of their legal and marital status as dependents of men in the past; and so Chapter 3 looks at how a certain combination of these factors can affect women's ability to retain the family home. Chapter 4 goes on to examine how a different combination of the same factors affects their abilities to acquire a new family home. It underlines some of the characteristic changes in housing needs which occur on the formation of a one parent family such as the greater urgency with which housing may be sought, the greater need of support and the decrease in personal mobility. It looks at the way these needs change with the family life cycle and asks to what extent it is

or should be possible to match these changing needs with the choices offered. Chapter 5 provides the research element and highlights the effects of a different system of family and property law on the access to housing of lone mothers and their children in Scotland by reference to the housing policies and practices of six authorities in the Clydeside conurbation; and Chapter 6 goes on to suggest some guidelines to better practice on the basis of present circumstances and outlines the possible implications for housing policy as it affects lone mothers on the basis of predicted changes in financial resources and legislation.

#### Sources of Data

The study uses some new data as well as drawing together existing sources of material. Most of the research was done over a four month period in the winter of 1980-81.

The information on the access to housing of lone mothers and their families has been culled from a wide variety of sources. This includes government publications, research published by official and unofficial bodies, and some unpublished work by private individuals. Further details and notes on the limitations of the data are given in the Appendix.



## CHAPTER 2 FINANCIAL STATUS: THE EFFECT OF FAMILY CHARACTERISTICS

### Introduction

There have always been strong links between housing and financial status; so that although government intervention distorts the market, the ability to exercise choice in housing is still closely related to income. In the past, the choice in housing for most one parent families was restricted by their low income, on average about half that of two parent families; so that in looking at the present day situation the first essential is to examine how their purchasing power now compares to that of the other family groups with whom they are competing for housing by considering their income from earnings and other sources such as maintenance and social security payments as well as their assets relative to those of two parent family groups.

As with other families, the material circumstances of one parent families bear a strong correlation to certain family characteristics such as the marital status and age of the head of household etc.; but before going on to explore the nature of these characteristics and their effects on income and assets, it is necessary first to consider the extent of the problem.

### Extent of the Problem

The definition of a one parent family which now forms the basis of most aspects of social policy on the group is the one put forward by the Finer Committee<sup>1</sup> in 1974:

"A father/mother living without a spouse (and not cohabiting) with his/her never married dependent child aged under 16 or 16 to 19 and undergoing full time education"<sup>2</sup>

for the purposes of this study, the definition is modified to focus on the more vulnerable section of the group who account for 88% of all one parent families i.e. those without a father. Throughout this study these will be referred to as either "fatherless" or "one parent-families"; but it should be understood that the term "one parent" is not intended to include motherless families. Within this sub group, there are four distinct categories of lone mother:

- a) the unmarried mother who may or may not have had a stable relationship in the past

- b) the separated mother who is still legally married but living apart from her husband
- c) the divorced mother whose marriage has been legally dissolved and who has custody of her children
- d) the widowed mother whose husband is dead

These distinctions are important because, as will be seen later, there are firm connections between marital status and the material circumstances in which families in each category subsequently find themselves.

Although there are strong arguments for including women who have been cohabiting and whose relationship has broken up, this group have been specifically excluded from the study; primarily because in subsequent chapters it is intended to examine the lone mother's ability to retain or acquire a home for her family within the context of family law which does not apply at present to cohabitees.

Estimates based on General Household Survey (GHS) combined figures for 1975 and 1977 suggest that by 1976 one parent families had come to constitute some 11% of all dependent families with children in the U.K. compared to 8% five years previously.<sup>3</sup> More recent figures published by the National Council for Single Parents put the figure somewhat higher at 12% by 1980 or 1 in 8 of all families. Of the estimated 750,000 families with 1½ million children headed by a lone parent in 1976, 56% of the women were divorced or separated, 17% were single and 15% were widowed mothers, while the remaining 12% were men (See Table 1).

There were two main factors contributing to the growth in the formation of one parent families over the five year period 1971 to 1976 and by far the more significant was the increase in the number of broken marriages involving dependent children, from 82,000 in 1971 to 152,000 in 1976 in England and Wales alone. By 1977, however, the yearly total had dropped slightly to 149,000, possibly reflecting the trend towards postponement of child bearing during that period. If this trend holds, then in future an increasing proportion of marriage breakdowns of short duration might be childless.<sup>4</sup> The second, though less important numerically, was that although there was a slight decline in the number of live illegitimate births, there was a 50% increase in the number of single mothers who decided to bring up their children themselves.<sup>5</sup>

Marital Status	1971		1976		Percentage Change 1971 to 1976
	Number in 000s	Per Cent	Number in 000s	Per Cent	
Mothers					
Single	90	16	130	17	44
Widowed	120	21	115	15	-4
Divorced	120	21	230	31	92
Separated (married)	170	30	185	22	9
Total	500	88	660	88	32

Table 1      Estimated Numbers of One Parent Families in 1971 and 1976      Great Britain

Obviously the time spent as a lone parent varies: for some it is only a matter of weeks while for others it lasts until the youngest child has left home. According to Leete<sup>6</sup> about 50% of those who divorce marry again within 5 years. Ferri, on the other hand, suggests that there are subtle links between the lone parent's chances of forming a new stable relationship and certain family characteristics i.e. the age and sex of the lone parent and the size of the family. In other words, the older the parent and/or the larger the family the less are the chances of remarriage. Using figures derived from research carried out by the National Children's Bureau (NCB), she found that lone fathers were twice as likely to remarry as lone mothers; and that only about 1 in 5 lone mothers in all categories found a substitute father for their children over the four year study period. Within the fatherless category, there was further variation: the incidence of remarriage was higher among the divorced and separated (25%) than among the widowed (15%) or single mothers (9%)

It is clear from these facts that any estimate of the numbers of one parent families at any given time appreciably understates the cumulative number of parents and children who have ever experienced life in that situation. Equally clearly, these facts demonstrate changing social attitudes towards marriage, divorce, one parent families and children born outside marriage. One of the main reasons for these changes is generally held to be the greater freedom of choice exercised by women, especially married women, largely as a result of their growing financial independence over the past two to three decades. This is a factor which will be considered in the next section when looking at the family characteristics which influence the material circumstances of a one parent family and the effects that these characteristics have on subsequent income and assets.

### Family Characteristics

The characteristics of a one parent family which bear the strongest correlation to its financial status are:

- a) its structure
- b) the marital status and sex of its head of household

From the latter are derived certain relationships which also strongly

influence its income and assets e.g. the age of the parent, the age of the youngest child, the size of the family and the social status of the family as determined by the occupation of its head of household. (To digress slightly, government bodies still persist in defining the social status of a lone mother by reference to either her father's occupation if she is unmarried or her husband's otherwise even when she has formed a separate household.) These characteristics serve to distinguish not only between the purchasing power of one and two parent families but also between the various categories of one parent family: the single, widowed, divorced and separated mothers.

Clearly the relative importance of each characteristic varies according to the individual circumstances of each family at any given time e.g. a widow is more likely to live alone with her dependent children than a young unmarried mother; but also tends to change over time for each family e.g. a mother may stay at home to care for her child in its early years but return to paid work once her child starts school. Overriding what are essentially practical considerations and possibly of greater significance are the attitudes of the family towards the relative importance of earning a living or rearing a family; and these in turn tend to reflect not only the prevailing attitudes of society at large but also the social group to which the mother belongs.

## Structure

It follows from the definition of a one parent family that the basic parental functions of breadwinner + homemaker which are normally carried out by two people in the nuclear family tend to become the combined responsibility of one individual on the formation of a one parent family. Further in almost nine cases out of ten that one individual is female.

The way in which the lone mother resolves the dilemma posed by the dual functions of her parental role depends largely on the material circumstances which result from her marital status, from which a number of relationships derive as noted earlier. The first of these (see table 2) is the very strong correlation between marital status and the age structure of lone mothers. The median age for the group as a whole is 36 years. As might have been expected, just over half (53%) of the

Sex & Marital Status	Percentages in each age group					Estimated Median Age (in years)	Number in Sample
	Under 25	25-34	35-44	45+	All Ages		
<b>Mothers</b>							
Single	53	34	10	3	100	25	216
Widowed	53	10	30	60	100	47	273
Divorced	6	38	42	14	100	36	452
Separated	13	39	32	16	100	35	342
Total	15	32	31	23	100	36	1283
<b>Fathers</b>							
Total	1	17	53	30	100	42	179
Total	13	30	34	23	100	37	1462

Table 2. Age Structure of lone Parents; combined GHS figures 1975 to 1977. Great Britain.

single mothers are under 25 years old; by contrast three fifths (60%) of the widowed mothers are aged 45 years and over.

### Household Composition

This link between age and marital status suggests a further relationship which is confirmed by Table 3 i.e. the connection between the age of the lone mother and the likelihood of her forming or retaining a separate household rather than living with other people. So that although nearly three quarters of lone mothers live alone with their dependent child/children, the figure for widowed mothers is considerably higher at 88%. This is not surprising since under current legislation a widow normally falls heir to the marital home and its contents intact on the death of her husband, unless the couple was living apart at the time; whereas the ownership and occupancy of the family home is liable to be in question when a marriage breaks down and family property subsequently divided as will be seen in Chapters 3 and 4. By far the smallest proportion living alone are single mothers (44%) because they are least likely to have a home of their own to start with; as a result nearly half of them (47%) live with their own parents in a 3 generation household.

### Age of the Youngest Child and Size of Family

Not surprisingly there is also a strong correlation between the age/marital status of the mother and the age of her youngest child. Table 4 shows the proportion of lone mothers with children and pre-school age only, children of school age only, or a mixture of the two. As a result of their relatively young age composition more than half of the single mothers (58%) have children all of whom are pre-school age; in contrast only 1% of widowed mothers have children in the same age group.<sup>7</sup>

On average lone mothers have 1.75 children; but figures for average size show marked differences between the categories with single mothers on average having the smallest number of children (80% have just one child) and divorced and separated mothers having the largest, with averages around two children. A separate analysis of the distribution of lone mothers by family size shows that half of them have one child only, one third have two children and the remainder three or more children.<sup>8</sup> (Table 4)

Percentages

Lone Mothers with dependent children	Mothers Single	Widowed	Divorced	Separated (Married)	Total
Mothers with all children aged under 5	58	1	7	20	18
Mothers with children aged both under 5 and 5 and over	7	4	12	18	11
Mothers with all children aged 5 and over	35	94	81	62	71
Total Mothers	100	100	100	100	100
Number in sample	216	273	452	342	1283
Average Number of Children	1.24	1.63	1.90	1.95	1.75

Table 4 Lone Mothers with children of pre school and school age;  
combined GHS figures 1975 and 1977 Great Britain



## Employment Status

In common with other families, the age of the youngest child rather than the number of children is the main influence on whether lone mothers work. As information published by Central Policy Review Staff puts it:

"The birth of the first child and the early years of child rearing cause the main terruption in women's working lives."<sup>9</sup>

This characteristic pattern of a period of financial dependence when the children are very young applies equally to the lone mother and the married mother; almost three quarters of both groups devote their full-time care and attention to their children at this stage compared to only half once the youngest child starts school (see Table 5).

The reasons for this are not clear. It could be argued that these mothers choose to look after their very young children, as many undoubtedly do; and that in fulfilling society's expectations of them they are doing a job which they consider more rewarding, stimulating and responsible than any they are likely to obtain in paid employment.

However, it could also be claimed that for some of these mothers choice is limited by the shortfall in local authority provision of day care places for under fives as indicated by the tremendous upsurge in the number of private day nurseries and registered and unregistered child minders over the past decade. This shortage is corroborated by Social Security figures for 1979 which show dependency on supplementary benefit to be particularly high among lone mothers when the youngest child is under 5. Surprisingly with the exception of unmarried mothers, dependency increases in the other three categories after the youngest child goes to school and falls away rapidly after age ten.<sup>10</sup> This suggests that after school care also presents a problem to lone mothers which is not being met with suitable social services provision, a problem which is solved in many cases for single mothers by the presence of their own mothers.

Of those mothers who go out to work either when the youngest child is under five or over five, lone mothers are more likely to be working full time than married mothers. This may be due to age differences between the groups but is probably reinforced by the need of most lone mothers to be financially self-supporting.

Percentages

Age of Youngest Child	Employment Status of Women	Lone Mothers					Married Women with Dependent Children
		Single	Widowed	Divorced	Separated (Married)	Total	
All ages	Working Full time	27	23	31	25	27	15
	Working part time	11	32	25	21	23	35
	Not working	61	47	44	54	50	50
	Total	100	100	100	100	100	100
Under 5	Number in sample	216	273	452	342	1283	12504
	Working full time	19	-	10	16	16	5
	Working part time	9	-	22	11	13	22
	Not working	72	-	68	73	71	73
Aged 5 & Over	Total	100	-	100	100	100	100
	Number in sample	144	16	87	133	380	4976
	Working full time	43	23	36	30	31	21
	Working part time	15	32	25	28	27	44
	Not working	42	46	39	42	42	35
	Total	100	100	100	100	100	100
	Number in sample	72	257	356	209	903	7528

Table 2  
Employment Status of Lone mothers compared to married women with dependent children by  
of youngest child. Combined GHS figures 1975 & 77.

## Effect of Family Characteristics on Income

The kind of jobs which married women do and the level of earnings which they derive from them bear a very close relationship to the family characteristics already noted. Obviously a woman's earning capacity like a man's is related to her skills, ability and work experience; but the normal pattern of domestic responsibility associated with married life and motherhood has tended in the past to be reflected in the low work aspirations and expectations of women for themselves and of society for them. Married women especially were thought of chiefly as a reserve pool of cheap labour and as a result women's bargaining power was poor and their average wages low relative to those of men throughout their working lives. The effect was that they were financially dependent on men; and the jobs which they tended to do were typically low status with long hours, poor wages and poor promotional prospects, all of which acted as disincentives to work.

Perhaps the most important social and economic change that took place in the early 1970's was the greater financial independence of some women which gave them a wider range of choice. Although on average women still earned considerably less than men, their relative average earnings position showed a marked improvement from 55.63% in 1970 to 64.75% of the full time earnings of a man in 1978.<sup>11</sup> However, to quote People and Families, "Breadwinner wives are rare, around 1½ million. In 1975 only about 6% of wives earned more than their husbands when both had a job."<sup>12</sup>

This improvement in average female earnings was to some extent fuelled by an expansion of jobs seen largely as an extension of female activities in the "caring" professions of teaching and nursing etc. as well as in the civil service and local government where equal pay had been in operation for some years. The growth of married women in paid employment was particularly marked and served to improve the standard of living of almost half the families in the U.K. "In 1975 some four times as many families with the husband in work would have had incomes below the equivalent of Supplementary Benefit entitlement level if the wives had not been working."<sup>13</sup>

However this situation has since changed. The general recession in the economy has resulted in a loss of employment for married as for single women (including lone mothers) from 1974 onwards. General Household Survey for 1978 reports a steady decline in full time employment for divorced and separated women aged 25-44 which unfortunately is not corroborated with figures making comparison with other groups impossible.<sup>14</sup> This apparent loss of employment is attributed in the survey in part to the overall increase in the proportions of divorced and separated women over the period; but must also reflect in part the generally poor employment situation in the country as a whole, in particular for those on the margins of the labour market such as mothers with dependent children.

#### Effects of Family Characteristics on Financial Status

The distinctive family characteristics of one and two parent families and the variations between each category of lone mother tend to influence the financial status of individual families in different ways. Referring back to the start of the chapter the main sources of income to be considered were earnings, maintenance and social security payments.

Beginning with income from earnings, the profile built up from family characteristics suggests that the one parent family is far less likely than the two parent family to rely on earnings as their main source of income since even at best only 31% of lone mothers work full time with a further 27% working part time. Furthermore, comparing the earning capacity of one and two parent families is effectively to make a comparison between the earnings of a lone woman and those of a man and possibly also his wife.

The lone mothers who go out to work are typified by three main characteristics: first they tend to be better qualified and/or have greater work experience; second their youngest child is liable to be at least five and probably ten years old, or alternatively they have access to suitable child care provision; third their financial need is greater. Reference to Table 5 on the employment status of lone mothers shows this combination of factors to be borne out.

Widowed mothers are the group most likely to work part time rather than full time, although their children on average tend to be older and they themselves to have greater work experience than other lone mothers. This suggests that on the whole their financial need is not so great and that they work to top up income from other reliable sources such as the widowed mother's allowance, and, for an increasing number, occupational pension schemes, life assurance and endowment policies, none of which are available to other lone mothers. Since all of these are paid on the basis of contributions made, they will obviously benefit less those families whose father was either very young when he died or who had a poor work record or low income. The final income advantage of these families is that they are more likely to have an older son or daughter out working and contributing to the household budget.

Divorcees on the other hand have a greater tendency than other groups to be out at work and to be working full time. This could be interpreted in two different ways: if maintenance forms a fairly reliable and substantial source of income then it acts as an incentive to work since it can be added to earnings but is subtracted from social security payments; if however it is less substantial and more infrequent it could force divorcees separated and single mothers out to work as a result of financial need.<sup>15</sup>

The widest disparity is shown amongst single mothers; they tend to work either full time or not at all. The former situation reflects the advantage that many have in leaving their child/children to the care of their own mother while out at work; the latter probably reflects their poor earning power as a result of lack of work experience.

The final financial advantage that working lone mothers have in common with wage earners from other low income groups is Family Income Supplement. Since the prescribed levels are set higher than Supplementary Benefit entitlement levels, the effect has been "to raise the disposable income of one parent families whose incomes were already above SB level" i.e. it was a policy intended as an incentive to those on low income to rely on income from earnings rather than social security payments and not as a means of "transferring families from negative net resources to positive net resources."<sup>16</sup>

Over half of all lone mothers decide to stay at home and look after their children for a variety of reasons. The practical considerations which lead to a decision to depend upon social security payments as a major source of financial support are essentially the same as on earnings, the difference being that the factors tend to act on balance as disincentives to work: first, their earning power is too low to make working worthwhile financially either owing to poor qualifications or lack of work experience; second their children are very young and they have no alternative source of child care; third maintenance payments are irregular or insufficient.

Supplementary Benefit is a subsistence allowance which was never intended as a long term means of support; as such it precludes the build up of resources to cover items of expenditure which the average two parent family takes for granted. Although it is frequently criticised on the grounds that those who rely on it experience a lower standard of living than the average family, the numbers of one parent families relying on Supplementary Benefit have gone up year on year from 212,000 in 1970 to 309,000 in 1979 by increases larger than can be explained by the growth in numbers of one parent families; so that by 20 November 1979 68% of unmarried mothers, 45 + 56% respectively of divorced and separate mothers and 7% of widows were in receipt of Supplementary Benefit.<sup>17</sup> There appear to be three main reasons as to why Supplementary Benefit became a more attractive alternative to work over the period 1970-79: a) the improved value of Supplementary Benefit scale rates (plus allowances for rent or mortgage payments and rates) relative to median female earnings (less tax and national insurance payments)

- b) the low disregard on part time earnings of £2.00 for single parents and married couples which applied until November 1980
- c) and possibly easier access to council housing made possible under the Housing (Homeless Persons) Act 1977.

Although allowances are payable towards a "reasonable level" of rent or mortgage interest repayments, many lone mothers experience difficulties in getting DHSS officials to grant them the appropriate amounts especially during the early stages of one parent family formation, a problem which will be referred to in the next chapter.

## Assets

The relationship between age and marital status extends also to assets. Ferri's figures based on GHS (1971) indicate that only 25% of fatherless families were owner occupiers compared to 52% of two parent families. Of the fatherless, widowed mothers were far more likely to own their homes than the divorced and separate (38% as against 19%) or the single mother (12%).<sup>17</sup> Since 1971, the number of two parent owner occupiers has risen to 59% (GHS 1978) reflecting the perceived advantages of the tenure in terms of economic security and social prestige with a corresponding rise for one parent families to 31%. (Security of tenure and legal right to remain in the family home are points which will be covered later in Chapters 3 and 4).

Widows and divorcees on the basis of age are more likely to have substantial assets such as the occupancy and/or ownership of a home and household goods than the other two categories. On the other hand, it should not be forgotten that the divorced mother may have lost the marital home during the divorce or come from a poorer background initially so that as a group divorcees are likely to show a wider inequality of assets than any of the others.

Young unmarried mothers are the group least likely to have accumulated any assets whether in the form of a house or durable goods; but they benefit to a larger extent than other groups by pooling their resources in a three generation household. However as Hopkinson noted this living arrangement is often a temporary one; most of the single mothers in her study moved into their own homes within the first year of their child's life.

The poorest group of all tend to be the separated wives especially those who have left the marital home. To a large extent this is a reflection of their interim marital status. This group is most likely to be homeless, to have a couple of very young children to care for and least likely to be claiming their full social security entitlement.

## Conclusions: Financial Status on Balance

To summarize, in terms of income from all sources, the one parent family at £63 per week comes out poorer than all families averaging £127 per week at 1978 figures, regardless of the means of comparison used.<sup>18</sup> An OPCS Study in 1973<sup>19</sup> found the mean usual income and mean adjusted income (allowing for family size) of fatherless families to be less than one half those of two parent families. The figures above give no reason to believe that the situation has improved dramatically since, assuming one wage earner per family. However, as the study shows an increasing number of working married mothers has widened the income span available to families where both parents are employed i.e. the growing financial independence of married women has in effect diminished the purchasing power of the lone mother vis-a-vis the average two parent family.

It could be argued that this position could be radically improved by increasing the Social Security payments made to lone mothers. After all 52% of families headed by a lone mother experience a standard of living at or below the officially defined level of poverty i.e. at or below Supplementary Benefit entitlement level + 20% or its equivalent compared with only 13% of two parent families.<sup>20</sup>

Translated into absolute numbers, however, the position is reversed: 78,000 two parent families whose breadwinner has never managed to get into or has fallen out of the labour market for a variety of reasons are in poverty compared to 430,000 single parent families.<sup>21</sup> Under the present system of Social Security benefits and allowances, the families of the chronically unemployed are already disfavoured relative to one parent families in that they are not eligible for child benefit increases or the higher level of earnings disregard available to one parent families. Furthermore they are less likely to qualify for long term SB rates or Exceptional Needs payments.

They are further disadvantaged in that coming from predominantly unskilled or semi skilled backgrounds they are less likely to have accumulated assets in the past than many lone mothers who come from all social backgrounds - with the possible exception of young single mothers whose lack of assets is directly attributable to her youth.



In a period of rising unemployment therefore it is only realistic to suppose that there would be political resistance to any redistribution of financial resources such as increases in SB payments in favour of one parent families since this would be seen as discrimination against unemployed and/or poor employed two parent families. A more acceptable solution might lie in increasing child benefit payments to a level more in line with those paid in France, Germany or Luxembourg. This would achieve a better income redistribution towards children and at home mothers whilst permitting the increase to be means tested in that there would be a claw back from better off families through the tax system.

Since the occupancy and/or ownership of the family home on the formation of a one parent family depends in the first instance on the legal rights of the respective parents, the next chapter explores the effects of Marital and Property Law together with recent social and housing legislation on the lone mother's ability to retain the home, before going on to consider the housing implications of her financial status.

## CHAPTER THREE: RETAINING THE HOME FOR THE FAMILY

### Introduction

Retaining the family home when a husband dies or a marriage or co-habiting partnership breaks down is not simply a question of income, important as money undoubtedly is. In the first instance, the crucial question is who has the legal right to occupy the house; and the answer to that is closely tied up with the legal status of women. Increased opportunities for work and earning over the past 15 to 20 years as noted in the previous chapter have given women, especially married women, greater financial independence; this in turn has resulted in changes which give women greater equality with men in law, not only in education and paid employment but also in housing.

However lone mothers still experience difficulties in continuing to occupy the family home, some legal, some financial and some stemming from lack of awareness or sheer ignorance of the constantly changing legal and financial provisions covering housing for one parent families. Since the number of one parent families is growing yearly, it is important to explore the reasons behind these difficulties since these might suggest changes which could perhaps ease the situation. But before tackling these problems or describing how recent social and housing legislation operates to protect lone mother's rights in the family home, it is essential to have some idea of how women's legal role in society and the family has evolved over the years. Without this historical perspective it becomes difficult to appreciate why what feminist writers such as Brien, Tinker and Tunnard claim to be discrimination against the housing interests of lone mothers should still be apparent in the practices of some agents in the housing market.

## Historical Background

Access to housing has always been closely associated with the control of land and property which in turn has been strongly influenced by the norms of society. Women in the past were affected by two of these norms; and in the present by changes in social attitudes affecting these norms. The first of these that woman exists as a dependent of man goes back at least as far as the Middle Ages. The second of somewhat later origins is the particular significance of the nuclear family in our society.

The concept of woman as the economic and legal dependent of man was embodied in the structure of Family and Property law to reinforce the patriarchal structure of society at that time. There were two main advantages in the system. First it ensured that since the woman was perforce monogamous a man's heritable property would pass on his death to his own flesh and blood; second, the extensive neighbourhood and kinship system which resulted provided an important supportive role in times of stress and conflict, protecting his property interests in life. However, the growth of capitalism and the Industrial Revolution disturbed this order and the far reaching ties which supported it putting increasing stress on the nuclear family. Engels and later writers firmly linked capitalism with the enhanced role of the nuclear family unit, arguing that the dual process under capitalism of women being confined to their homes as housewives and of men losing control over their work and pleasure in it had given a new importance to family life and put personal relationships under severe strain.<sup>22</sup>

In fact more women were part or main wage earners of the family income than Engels supposed; but this does not alter the fact that changing social attitudes were and are challenging the suitability of the concept as a present day social norm. The nuclear family unit no longer corresponds to the reality of the households in which many people live. Over the past 15-20 years the pattern of family life and the structure of the population as a whole have altered radically. Ignoring for the moment one parent families, increased economic independence among young adults and the elderly has led to the formation of a growing number of small household units and greater diversity of structure within them.<sup>23</sup>

It remains true however that the majority of women do conform to the social norm. About 95% of those under 40 do marry at some point in their lives; but the picture is more complex than the figures would lead one to suppose. At any given time only 66% of those aged 15+ will be married; but substantial numbers will be single, widowed, divorced or separated, among whom will be a large percentage of lone mothers currently estimated at around 2/3 million (1976 figures).<sup>24</sup>

The formation of single parent families, the break up of marriages and cohabiting partnerships with dependent children and the changing social attitudes which mean that individuals are more likely to experience all or any of these events than in the past are important factors in women's need for housing and ease of access to it as noted in the previous chapter. This need is all the more crucial in the face of the widely held assumption that if a man is present then a woman is dependent on him. Because the twin concepts of the nuclear family and woman's dependent status on man are so significant, we

need to consider briefly how these concepts have affected women's position with regard to legal ownership or occupancy of housing in the past and in the light of recent social changes.

#### Law and Women's Right to Housing

As noted earlier, the concept of woman as a dependent on man was embodied in the structure of Family and Property Law; and so it was not until 1882 with the passage of the Married Women's Property Act that a woman could legally control or administer land or property in her own right unless she was single or a widow, in which case she was expected to seek male advice and protection as soon as possible.

Over the years social attitudes have gradually changed but not radically. A survey carried out in 1971 by Todd and Jones<sup>25</sup> showed that 42% of owner occupied homes were in the husband's name only whereas only 5% were in the wife's. And at that time few housing authorities were willing to give a tenancy to a married woman. The situation prior to 1973 therefore was that in many homes the husband was the sole legal owner or tenant and the wife was what was termed legally a "precarious" tenant. On the formation of a one parent family this affected the lone mother differently according to her marital status.

Young single mothers who had not formed a stable relationship with the father of their child were unlikely to have a home to retain as noted in the previous chapter. With the exception of those living in council, New Town Corporation or tied housing, widows had and still have a legal right to inherit the ownership or occupancy of the family home provided that the couple has been living together at the

time of the husband's death.<sup>26</sup> For those in the owner occupied housing, this legal protection ensuring security of tenure is reinforced in many instances by the financial protection of mortgage insurance covering any outstanding capital sum and interest payments. Those at the bottom end of the owner occupier sector, particularly those buying their homes through finance companies or on a rental purchase agreement tend to lack this financial protection. Characteristically these are couples who are young or whose income from earnings is either low or less secure than average. In this case, the lack of a main breadwinner's income often means that mortgage repayments becomes difficult to sustain; and this problem is particularly acute if the widow has young children and is unable, or did not want to work.<sup>27</sup>

For women whose marriage or stable cohabiting partnership was breaking up prior to recent legislation the legal position was very different. As "precarious" tenant, the woman had no right to remain in the family home; and yet in 6 cases out of 7 as a divorcing wife she was subsequently granted legal custody of the dependent children. (As a single woman the custody of the children was unlikely to be in question.) Not surprisingly many lone mothers and their families experienced not only financial difficulties brought about by low income referred to in the previous chapter but also major housing difficulties; inadequate provision and lack of legal safeguards caused others to remain in unsatisfactory marriages and in some cases forced them to expose both themselves and their children to physical and mental cruelty.

During the late sixties, concern expressed by the women's movement and those interested in child welfare over the growing numbers of one parent

families experiencing housing difficulties put pressure on government to investigate the problem. The result was the setting up of a commission under the chairmanship of Sir Morris Finer in 1970 to report to Parliament on one parent families. The Report finally published in 1974 provided substantial evidence to show that although financial problems were of prime importance in housing for one parent families, legal problems related to the process of becoming a one parent family were also significant.<sup>28</sup>

On the basis of these findings, Finer made 46 recommendations for changes to alleviate the main problems. These fell into four categories concerned with:

- a) matrimonial law and the particular rights of the parties to the matrimonial home
- b) local authority management matters in general, and in particular those who dealt with housing management, homelessness and tenancies
- c) the contribution and work of the DHSS in relation to matters such as rent and financial support towards the maintenance of mortgage repayments
- d) the activities of building societies and local authorities in their role as mortgagees.<sup>29</sup>

Many of Finer's recommendations have been accepted and implemented, notably through the Domestic Violence and Matrimonial Proceedings Act 1977 (and the Domestic Proceedings and Magistrates Court Act 1979)<sup>30</sup> which extended the provisions of the Matrimonial Homes Act 1967 and the Matrimonial Causes Act 1973. This legislation seeks to give a wife a continuing right to occupy the matrimonial home whether rented

or owner occupied, a right which can only be terminated by a court on divorce or judicial separation. But as the Law Commission points out "the rights remain of little value unless there is a corresponding right to retain possession and use of household goods". These Acts apply only in England and Wales, however. Present legislation in Scotland still gives priority to the property rights of the adults; although a Bill entitled Occupancy Rights in the Matrimonial Home and Domestic Violence (Scotland) 1981 has been prepared by the Scottish Law Commission and is to go before Parliament during the current session (Whitsun 1981). This will be discussed at greater length in Chapter 5.

Following on from this, the Housing (Homeless Persons) Act 1977 endorsed with the joint circular Notes on Guidance on homelessness D of E 78174, DHSS 4/74, WO 34/74 was designed primarily to help those lone mothers and their dependent children, along with other categories of priority need, who slipped the safety net provided by the Acts noted above and became homeless. This Act places a statutory duty upon a local authority to "secure" accommodation for a woman and her dependent children who either have no home or alternatively have a home but for various reasons such as risk of violence are unable to gain access to it. The Act and its implications for the one parent family will be considered in greater detail in Chapter 4.

And finally the Tenants Rights Act (1980) not only gives the widow of a council house tenant the right to inherit the tenancy, bringing her into line with those in other tenures, but also gives the local authority the right to assign a tenancy to whichever partner has custody of the children when a marriage or cohabiting partnership



breaks up. The effects of this Act within the context of current Scottish Family and Property Law are somewhat different and are examined in Chapter 5.

These Acts represent a conceptual breakthrough in social and housing legislation affecting one parent families in that they recognize for the first time the housing needs of dependent children. The provisions of the Acts are basically two fold: first they protect the immediate need of dependent children to continue living in the family home wherever possible giving this priority over the property rights of the parents; second they lay a statutory duty upon local authorities to "secure" accommodation for dependent children and the parent who is looking after them, if the family can be shown to be homeless.

#### Effectiveness of Legislation in Practice.

There are however certain shortcomings in the operation of legislation designed to protect the family's right to remain in the matrimonial home. Occupancy of the family home hinges in theory on the decision as to the custody of the dependent children. In practice the effectiveness of the Acts depends upon three factors: the time taken to reach a legal decision on occupancy and custody, the enforcement of the law in practice and the exceptions to it.

It is unusual for a couple to continue living together while waiting for divorce or legal separation; and so normally one or other will leave home. Clearly marriage breakdown tends to depress the housing prospects of either one or both partners at least for a time: the

home has to be allocated to one or the other and incomes which supported one home have to support two; so although other households may be formed through time, many people find themselves in severe housing and financial difficulties in the short term. The main problems tend to occur in the critical period between marriage breakdown and the property settlement following divorce or judicial separation, a period lasting often as long as two to four years. During this time the property rights of the partners are held as it were in suspension and several difficulties arise as a result.

If the husband leaves and the house is in the wife's name, then technically there is no problem regarding ownership or occupancy. If the house is in joint names or the husband's name alone and occupancy can therefore be in question, then the separated wife will require an injunction to ensure that she can continue staying in the home, an interim custody order for the children and possibly also an exclusion order to prevent the husband re-entering the house. This action in itself presents certain problems. Many separated wives are unwilling to go to court to press their legal rights either because they fear reprisals from their husband or because they hope for reconciliation. Indeed, unless the husband has been violent in the past or there is a threat of extreme violence, courts are often reluctant to grant either of these orders especially if the house is in the husband's name since this is seen to prejudice his property rights and possibly also his future rights to the custody of the children. In any case, injunctions and exclusion orders are only short term measures offering legal protection for up to three months.<sup>31</sup>

Another problem which occurs when the occupancy or ownership of the

home is contested is arrears of rent or mortgage payments. There are provisions under Section 1(5) of the Matrimonial Homes Act 1967 requiring agents in the housing market to accept payments from a separated wife who is occupying a home owned or rented in her husband's name; but some lone mothers experience difficulties in getting payments accepted.<sup>32</sup> The underlying reason for this is almost certainly not so much a question of discrimination against lone mothers as an unwillingness on the part of the agents to arbitrate between the competing claims of the husband and wife.

However unless the husband is continuing to make rent or mortgage payments, despite his absence from home arrears, are liable to build up. In this situation the lone mother in a council house is in a better position than her counterpart in an owner occupied house. A build-up of arrears is frequently used by local authorities to evict a defaulting husband in his absence and transfer the tenancy to his wife and dependent children without waiting for the outcome of divorce proceedings. Women's Aid groups have drawn attention to the fact however that housing departments often put pressure on a separated wife to pay off arrears incurred in her husband's name while she occupied the house in his absence before they will transfer the tenancy despite the fact that she cannot be held responsible for what are legally if not morally his debts.<sup>33</sup>

The separated wife in the owner occupied house is sometimes not so fortunate: although many building societies are sympathetic to the problems resulting from marriage breakdown and offer financial and legal advice to lone mothers in this predicament a build up of arrears in mortgage payments can result in pressure from the building society to foreclose and the subsequent loss of the home to the family.<sup>34</sup>

Jo Tunnard claims that this pressure to foreclose and sell the house is often reinforced by advice from lawyers, housing officials and staff at Citizens' Advice Bureaux who are not sufficiently aware of the extent of the financial provisions of the DHSS, nor the discretionary financial powers of the local authority in this context.<sup>35</sup>

If the separated wife is a joint owner or tenant and/or the property is subsequently transferred to her name alone she can be held legally responsible for all arrears that have accumulated on the family home whether she was living in the house after the marriage broke down or not.<sup>36</sup> Interestingly, the exception to this is rates payments for which husbands are generally held solely responsible.<sup>37</sup>

The next problem is one of enforceability of the law as it stands. Should the wife decide to leave home with her children, she has two courses of action open to her, assuming for the moment (since this is a subject which will be covered in the next chapter), that she has access to temporary accommodation such as staying with friends or relatives, in a Women's Aid refuge or in temporary accommodation supplied by a local authority housing department: first she can try to get back into the family home; second she can look for alternative accommodation.

In the first instance even if she succeeds in getting a court order giving her legal access to and occupancy of the family home, the separated mother may find it difficult to enforce in practice especially if her husband physically resists, for the police are often reluctant to intervene in a matrimonial dispute.<sup>38</sup> For her second course of action, if she approaches a local authority housing department she may find her application refused; because technically a local

council are not required to secure accommodation for a separating wife and children under the provisions of the Housing (Homeless Persons) Act 1977, as long as she has a legal interest in the family home, i.e. as long as she is married unless there has been violence or the threat of violence to herself and her children.<sup>39</sup> Councils are expected to "have regard to" the Code of Guidance which suggests that accommodation should be made available in the event of marriage breakdown;<sup>40</sup> but in areas of housing stress such as Wandsworth in Central London it is quite possible for the local council to put a literal interpretation on the Act and to refuse to accept responsibility for separating mothers who have left home of their own accord rather than being flung out.<sup>41</sup> (See Chapter 4).

The final consideration regarding the effectiveness of legislation is the exceptions to it. These Acts offer little protection either to the cohabiting mother whose partner is sole owner or tenant, or to the lone mother living in tied housing. The only protection afforded the latter is that many local authority housing departments are willing to offer alternative accommodation as a priority needs application. For the former, her only remedy is to prove in Common Law that she made a substantial contribution to the family home or that the relationship was in effect a common law marriage.<sup>42</sup> It is frequently argued that the law cannot be used to protect those who knowingly put themselves at risk; but how many of the growing numbers of women who are in this situation are aware of their potentially vulnerable position?

#### Implications for Housing Policy

The evidence clearly indicates that social and housing legislation

of the sixties and seventies has made radical improvements in women's legal right and financial ability to retain the family home. What is not so clear however is the effectiveness of this legislation in practice.

Given that the legislation under review is too recent to have produced any visible effect on data as yet available, there are one or two indicators which suggest that significant numbers continue to lose the family home in both main tenures on the breakdown of a marriage:

- a) the proportions of lone mothers who present themselves as homeless, between 28-41% of the homeless total on average, appears to have remained more or less constant after 1978.<sup>43</sup>
- b) there has been relatively little change in the housing tenure of lone mothers compared to married couple families up to 1978 although the first changes in marital property law were effected in the early 1970's.<sup>44</sup>

The prime purpose of this legislation was to protect the welfare and interests of dependent children when their parents relationship broke up. The changes which are necessary to promote this objective lie not so much in altering the provisions of the Acts, with the exception regarding cohabiting mothers noted above, as in speeding up procedure especially where the custody of the children is not in dispute, and in making the law more enforceable.

Since the number of separating and divorced mothers who lose out on the family home on either a temporary or permanent basis still undoubtedly forms a significant proportion of the total, the next chapter considers the housing opportunities afforded to those who need alternative accommodation and the particular problems they face.

## CHAPTER FOUR: ACQUIRING A NEW HOME FOR THE FAMILY

### Introduction

In the previous chapter the effects of recent housing and social legislation on a lone mother's ability to retain the family home were examined and also the particular advantages and opportunities of various groups according to their marital status. In this chapter the same factors, financial and legal status, will be considered to see what effects they have on her ability to acquire a new home for her family in the short and long term after she has left the one shared with her husband, partner or parents. Particular emphasis will be given to the housing problems experienced by the more vulnerable groups: those on low incomes and the homeless.

Because the lone mother's decision to leave the family home typically results in a move down market to housing which compares badly with the family home, it is important to explore the reasons for this and to gauge the possible effects of poor housing and low income on the life style and aspirations of the family. From this it may be possible to make suggestions as to how her choice within the housing market could be improved. In essence this means comparing the housing characteristics of one and two parent families to see how they differ, if only in a degree of need, and to consider to what extent these needs bring them into competition with other vulnerable groups in order to assess the implications for housing policy.

### Housing Characteristics

There are four main factors influencing the housing choice of a lone

mother which are liable to distinguish it from that of a married couple: the urgency with which she needs to be rehoused, her need for help and support from relatives, friends or the social services, low income and the possible loss or insufficiency of resources such as household goods, the use of a car etc., and her legal right to housing. Characteristically these factors either singly or in combination are translated into the decision which she makes on housing in terms of tenure, housing condition and quality, location and concentration and on later decisions which are reflected in the number of moves she subsequently makes.

#### Urgency of Need

One parent families are three to four times more likely to experience homelessness, with the exception of widowed mothers, than a married couple family. A study by Greve in 1971 found that 41% of these admitted to temporary accommodation in London were lone mothers;<sup>44</sup> D of E research puts the figure at 33% over England and Wales as a whole.<sup>45</sup> The main cause of homelessness among divorced, separated and single mothers is that the initial splitting up of the family unit frequently occurs as a result of stress: a separating mother finds that she can no longer tolerate her husband's abuse; grandparents discover that the presence of their unmarried daughter and her child in their home stretches everybody's resources to breaking point. Subsequent moves causing homelessness are often directly related to adverse circumstances: an inability to cope on low income, a lack of support and help with the children resulting in friction with neighbours, etc., social isolation. In other words, one parent families are more likely to need a roof over their heads urgently.



The provisions of the Housing (Homeless Persons) Act were intended to protect the housing interests of people such as lone mothers or pregnant women in just such circumstances as are described above, by "securing" them alternative accommodation. Since it came into force in December 1977, it has led to a significant increase in the number of acceptances by local authorities of homeless people including lone mothers; but put particular strains on the resources of some housing authorities, namely those which had previously done little for the homeless and those whose resources were already stretched to the limit, e.g., inner city areas such as London or those authorities that had small council stock.<sup>47</sup> As a result although the Act has achieved major improvements in housing lone mothers and their families who are homeless, it has been strongly criticized on a number of grounds. For example, Steve Billcliffe in an article in Roof Magazine of July 1979<sup>48</sup> argues that many housing authorities seek to evade their responsibilities under the Act by adopting such a hard-line in their policies and practice that about 50% of those who apply fail to meet their criteria. Further he suggests that poor quality interim accommodation at high cost is often used to discourage what is often seen quite simply as queue jumping. Since lone mothers are more susceptible to homelessness than other groups, these points will be referred to in the following chapter within a Scottish context.

#### Need of Support

The absence of another adult in the house to give a helping hand with the children or the domestic chores such as gardening or decorating, or simply just to talk to, causes many lone mothers to become more dependent on close relatives or friends for support and social contact.

The fact that almost half of young single mothers live at home with their own parents could be interpreted as an inability to secure a home of their own as Finar suggested,<sup>50</sup> but in many instances is more likely to reflect a recognition on the part of the young mother and her parents that she is not mature enough to cope alone with the stresses and responsibilities of parenthood and the problems of low income. Hopkinson remarked that a fairly high proportion of young single mothers in her study group, those in their late teens and early twenties, who had been housed by the local authority at some distance from their parents, returned home within three to six months.<sup>51</sup>

Although fewer of the divorced and separated mothers, and still fewer of the widowed mothers (Table 3 ) share a home with their parents, my own researches indicated that substantial numbers prefer to live near their relatives if given the choice, especially if they themselves were relatively young, say under 35, and had young children.

Amongst the lone mothers that I spoke to, the desire to be close to relatives especially parents did not appear to be motivated by a decision on whether or not to work, at least not in the first instance. It was noticeable however that many of those who had decided subsequently to go out to work appeared to rely heavily on parents, friends, relatives or neighbours to look after the children either all day or after school and during school holidays. Others expressed a desire to work for various reasons, self respect, social contact, etc., which was frustrated because they had no one to look after the children. The reasons given were:

- a) The long waiting lists for day care facilities for under fives both those run by the local authority and those which are privately owned

- b) The shortage or complete lack in some areas of day care provision for those of school age
- c) The opening hours which either did not coincide with the lone mother's working day or did not give her sufficient time to travel to and from work.

Not surprisingly, in line with recent social thinking on disadvantaged children, local authority provision appeared to be better in the deprived areas than in the more advantaged residential districts.

However there is cause for further concern in the immediate future. As local authorities have no statutory duty to provide day care or nursery education facilities, or any provision after school hours for those aged five and over, these services tend to be subjected to disproportionate cutbacks in times of economic constraint. In fact this has already happened throughout Strathclyde Region, with recent closures of day care centres in some of the poorer inner city areas where there are high concentrations of one parent families.<sup>52</sup>

#### Access

Access is another factor which is possibly of greater significance to low income one parent and two parent families than to the average married couple family. About three quarters of the lone mothers interviewed had lost the use of the family car and had few prospects of replacing it. Distance between home and the various facilities used by the family such as the local shops, nursery school, place of work, etc., tended therefore to assume greater significance and at the extreme present a barrier to the use of that facility.<sup>53</sup>

The chances are that it does not matter greatly to anyone, least of all the woman herself, if a young mother at the pram pushing stage has

to take all morning just to get to the local shops and back; but it certainly matters more to the lone mother and her family if she finds at a later stage that her ability to take up paid employment is constrained by excessive travel time either because of the distance involved or poor, unreliable transport facilities. Unpublished research by Mrs E M Robertson of Glasgow University shows that the lone mothers who led the most active social and/or work lives, were also most likely to live within close proximity of family and friends and/or had ease of access to the facilities they required. Unfortunately housing with ease of access to desirable facilities tends also to be in higher demand; so that those lone mothers who cannot afford to buy or wait are less liable to obtain a house which suits their needs in this respect.

#### Housing: tenure, quality and condition

The figures in Table 6 suggest that the housing tenure of lone mothers is more or less the reverse of that for two parent families on average but very similar to that of two parent families on low income, i.e., those with large families or the chronically unemployed. In other words they are over represented in council housing and private rented accommodation. Ferri's figures for 1971 state that the housing tenure of widowed mothers compared favourably with that of two parent families at 56% in owner occupation; in contrast the proportions of divorced and separated mothers who lived in owner occupied housing was only 17-19% while that of single mothers was a mere 3%.<sup>54</sup> As might be expected this reflects the financial status of each group fairly accurately.

Percentages

	Low Income Pensioners	Other Retired	Non Retired	2 adults + Children	1 adult + Children
Rented Unfurnished					
Unfurnished	78	30	37	36	63
Local authority	(60)	(21)	(27)	(32)	(56)
Other	(18)	(9)	(10)	(5)	(7)
Rented Furnished	1	-	8	1	3
Rent free	1	3	3	3	3
Owner-Occupier	20	66	52	59	31
In process of purchase	(2)	(2)	(31)	(51)	(21)
Owned outright	(19)	(64)	(20)	(8)	(10)

Note: Components do not add always to totals because of rounding.

Table 6 Housing Tenure in Selected Household Types from GHS 1928 (Great Britain)

Ferri also pointed out that whereas 95% of widowed mother and two parent families remained in owner occupation over the four year study period 1966-1970 only 67% of divorced and separated mothers were able to do the same.<sup>55</sup> The continuing loss of the owner occupier home by the divorced and separated mother, despite legislation on marital and property law prior to 1977, was confirmed by Alan Holman in 1978 who commented:

"in a significant number of instances marital breakdown leads to a move from owner occupation to renting."<sup>56</sup>

i.e., a move down market which indicates a loss of income.

The main reason for the low proportions of divorced, separated and single women in owner occupation is almost certainly that so few are in a position to purchase a house once they have lost the marital home. Those who succeed have either sufficient capital to purchase outright or earnings sufficiently high to raise and maintain the necessary mortgage. DHSS payments to those on low income, whether working part time or not at all, cover interest payments only and not capital repayments; and as such can be used only to maintain a mortgage not to secure a new one.

The continued decline of the private rented sector coupled with the movement out of the owner occupied sector tends to channel lone mothers towards the local authority rented sector. This conclusion is confirmed by the three fold increase in the number of households headed by a lone mother receiving SB in local authority tenancies between 1965 and 1975, an increase greater than the growth in numbers of divorced, separated and single mothers over the same period.<sup>57</sup> This flow is likely to be strengthened by the operations of the Housing

(Homeless Persons) Act 1977 so that local authorities are now providing for an increasing proportion of families headed by lone mothers.

This dependency on council housing has its advantages as well as its disadvantages. The main disadvantage is that the lone mother is clearly more vulnerable to the ways in which the policy and practices of the housing authority to which she applies reflect the housing stress and possibly even the public or political prejudice against one parent families in that area, unlike her counterpart in owner occupied property. These factors can affect not only her acceptance and placing on the council waiting list but also the quality of house and area finally offered to her.

The Finer Committee criticized the housing practices of many local authorities for showing implicit or explicit discrimination against lone parents and in particular lone mothers: by using points systems which weighted allocation systems in favour of two parent families, for example. Now however, evidence on conditions prior to 1974 has to be set alongside the much greater attention paid to this group and the fact that some of the Finer Recommendations have been implemented through the legislation mentioned earlier in Chapter 3.

The D of E Circular "Housing for One Parent Families" (1977) listed some of these and expressed the view that since one parent families in general do not require accommodation which differs from that of two parent families they should receive effective parity of treatment in housing matters. Local authorities were advised to consider

applications solely on the basis of need and to review their policies to ensure that any discrimination against one parent families be brought to an end. My own feeling is that this does not go far enough since the one parent family is often in greater need of support from outwith the immediate household, but this is a point which I will return to later.

In any case, this advice is a two edged sword: although it makes good management sense to allocate a one parent family a house which is large enough to accommodate two adults, on the basis that a large proportion will subsequently either remarry or cohabit, allocating on the basis of need implies a level of officer discretion which is liable to meet with resistance from both the councillors and the electorate. This may leave officers open to charges of discrimination both for and against one parent families especially in areas of severe housing stress.

#### Security of Tenure

The increasing dependency of lone mothers on the local authority rented sector has a further advantage: security of tenure. In the past, families headed by divorced, separated or single mothers tended to move more often than two parent or widowed mother families.

Figures from the National Child Development Study in 1971 revealed that 25% of divorced and separated mothers moved more than 4 times in 11 years and 20% of single mothers in excess of five times.<sup>58</sup> Many of these moves were the direct result of the over dependency of these families on the private rented sector.

There is little hard evidence on the effects if any of changes of home



on a child's development; but clearly if the moves are many and frequent and caused by adverse circumstances, such as an inability to pay the rent, then the consequent disruption to the child's schooling and his friendships stands an increased risk of undermining his sense of security and stability. Recent social and housing legislation affecting one parent families, e.g., the Housing (Homeless Persons) Act and the Tenants Rights Act 1980 should reduce the number of moves forced on such families by such circumstances but so far no data is available to prove this.

### Mobility

Having once acquired a home, mobility by choice can present something of a problem to lone mothers of all categories in both owner occupied and council housing, barring those with relatively high incomes. For those dependent on DHSS payments in owner occupied housing the inability to raise a mortgage effectively prevents them changing house for any reason. Similarly the inflexibility of most council house transfer systems stabilizes lone mothers in that sector.

### Housing Condition and Quality

A concern with the poor quality of housing standards and living conditions experienced by lone mother families characterises much of the literature on the subject from Marsden through Finer to the present day. Longitudinal studies carried out by the National Child Development Study in 1966, 1970 and 1974 indicated that families headed by divorced, separated or single mothers were not only more likely to live in poorer quality accommodation than widowed mother or two parent families but also over time to suffer a deterioration in the quality of their housing.<sup>58</sup>

In view of the enormous resources that have been put into housing over the past ten to fifteen years and to the changes in social and housing legislation affecting one parent families, this data is unlikely to present an accurate picture of their present day housing conditions. My own research in Clydeside left me with the impression that there was less disparity between one and two parent families in terms of the availability and use of basic amenities, etc., than available data suggested, with one reservation: and that was those in owner occupier or privately rented property in the inner city area where there is still a wide variation in standards. This is not to suggest that there is no disparity in their living conditions however for some one parent families being at the bottom end of the housing market still experience poor housing standards and living conditions; but the main difference is one of living standards: one parent families are less likely to possess central heating, up to date furniture, etc.<sup>59</sup>

My investigations among those in the owner occupier sector suggested that basic house maintenance and repairs were often not carried out as frequently as might be advisable; but whether this was the result of a reluctance among those on low income to apply to the DHSS for an Exceptional Needs payment to cover the costs, or an unwillingness on the part of DHSS staff to make payments for this purpose, I was unable to determine. Similarly some women in council housing experienced difficulties in trying to get repairs carried out which they attributed to their own weak bargaining position.

#### Location and Concentration

As noted earlier, lone mothers come from all social classes; and so

those who remain in the family home, or whose bargaining power when acquiring a new home is relatively high, i.e, they can afford the time or the money to get the house they want, are spread throughout the population fairly evenly.

The most obvious differences between one and two parent families occur with those who are more vulnerable, those whose bargaining power is poor. For reasons which will be explored later in the following chapter, poor bargaining power in terms of low income and urgency of need causes the more vulnerable one parent family to accept housing in areas which are less desirable or less popular and hence for which there is less competition.

Over time this process results in disproportionate numbers of such one parent families along with other vulnerable groups such as the chronically unemployed or large families building up in what Donnison describes as "impoverished working class areas": inner city slums, the edges of large peripheral council estates, the poorer districts of towns with an obsolete industrial base. Such areas are typified by high child densities and more than their fair share of anti social tenants, factors which exacerbate and interact with the basic shortcomings of the housing itself to produce a downward spiral in housing and environmental conditions. Characteristically these conditions place heavier than normal demands on the social and housing services in these areas.

Clearly there are advantages and disadvantages to this concentration. There are two main disadvantages: further deterioration, stigmatisation. Without a massive concentration of resources into the area, the generally poor quality of existing services will

continue to deteriorate resulting in further disadvantages to the resident population in education, health, care, housing and work opportunities. As this process proceeds, the poor reputation of the area will tend to reduce the opportunities available to those resident in it in terms of work chances, social contacts etc. This in turn means fewer in work and a loss of employment contacts and word of mouth news about employment opportunities, etc., which results in the population becoming even less able to help themselves.

The main advantage of concentration is that it is possible to focus resources more directly on those in need. However since individuals and groups in need occur throughout the population and the majority of those in need, or even those individuals in greatest need, do not necessarily live in the areas of high concentration, then it is necessary to maintain at least basic services provision in other more advantaged areas. Hence at a time of financial constraint, local authorities have one of two alternatives:

- a) to maintain high levels of services provision in disadvantaged areas and reduce or even close down provisions in more advantaged areas.
- b) to maintain services provision at a reduced level more or less evenly throughout their area and to spread the load by gradually dispersing the high concentrations of more vulnerable groups such as one parent families by the use of housing allocation system.

Clearly the choice depends upon the comparative resources of the housing and social work departments in the local authority area in question. In Glasgow for example with a falling resident population, and high levels of vacant council housing in some of the less desirable

areas, the emphasis is on dispersal.

#### Implications on Housing and Social Policy

Recent housing and social legislation on one parent families appears to have given lone mothers improved access to the local authority housing sector. Further although this may mean a loss of housing status to lone mothers who have come from owner occupied housing, this sector at present appears to offer them a degree of protection in terms of security of tenure not available in either privately rented or owner occupied accommodation.

While recognising that many aspects of the housing policy and practice of local authorities simply reflect the resources at their disposal, changes could undoubtedly be made in allocation policies to improve the choices available to lone mothers. Acknowledging their greater need for support from outwith the household which is increasingly less likely to be met with local authority services provision at the present time, efforts should be made to permit them to live in close proximity to a supporting relative or friend if that is their expressed wish, even if this involves a certain degree of positive discrimination; wherever possible this choice should also be extended to those in urgent housing need.

Many lone mothers for various reasons may lack support from family and friends; and a policy of dispersal of vulnerable groups may mean the offer of a house remote from support systems such as nursery schools or day care centres. It is essential for the welfare and support of both lone mothers and their children in this situation, that efforts should be made by local authorities to

to organize alternative arrangements possibly through grants to responsible, concerned voluntary groups such as Gingerbread, or Women's Aid and the allocation of vacant mainstream housing suitably altered for the purpose.

Further, where resources permit, allocation policies should take account of the access problems which they share in common with other low income groups, and wherever possible housing should be allocated within easy walking distance of such facilities as the family is most likely to require and use. This however is of less immediate significance than the first recommendation.

Regarding those who wish to purchase, the current situation simply reflects the financial status of lone mothers as it does other groups in the owner occupied sector. To be realistic, there seems little point in recommending special schemes to enable lone mothers to take on mortgages if their income level is too low to permit them to maintain payments without financial hardship. The question of raising their income levels relative to other low income families was referred to in Chapter 2.

## CHAPTER FIVE: HOW SCOTTISH HOUSING AUTHORITIES TREAT ONE PARENT FAMILIES

### Introduction

In previous chapters, we have established the social, economic and legal trends over the past ten years or so which have affected the housing opportunities of lone mothers and their families on a nation-wide basis, but within the framework of English Family and Property Law. This chapter sets out to examine and compare how Scottish housing authorities treat one parent families by referring to the policy and practices of five housing authorities in the Clydeside Conurbation within the context of the Scottish legal system and the socio economic climate peculiar to an older industrial area. It then goes on to consider the recent housing experiences of individuals from sample groups of lone mothers resident in four of the districts, with relevant comments made by contacts from various voluntary groups with an interest in the housing problems of lone mothers.

The broad objectives of the research were to try to assess how effectively housing authority practices met the needs of lone mothers in the area with a view to making suggestions for changes in policy, procedure or practice where necessary which might make the process of family break up something less of an ordeal for both the lone mother and her children.

There were three areas which required to be explored: legal, housing and social. The first step was to examine the provisions of Scottish Family and Property Law and the Tenants' Rights (Scotland) Act 1977 and identify any differences between the English and Scottish

legal systems; and then to explore a possible area of conflict, in the event of desertion by either of the spouses, between the legal rights of the individual to the occupancy of the family home contained in the former and the legal right of the housing authority to assign the occupancy as set out in the latter; and finally to consider the effects of this conflict on the statutory provision which housing authorities must make for separating wives and children under the Housing (Homeless Persons) Act 1977.

The second step was to look into the housing policy and practices of five authorities to see how they set about securing accommodation for a mother and her children once the marriage had broken down; and to note whether variations in their treatment reflected the resources at their disposal rather than any implicit or explicit discrimination for or against one parent families.

The final step was to find out from lone mothers whose marriage had broken up within the past three to four years what kind of treatment they had received from local housing authorities. Had they been given sufficient advice and information as to their housing rights? Had they had difficulty in persuading the housing authority to accept them as in need of temporary or permanent rehousing? What criteria had they found particularly difficult to fulfil? and was consideration given to any special needs consequent on their one parent family status such as the need for family support, or the need to be near a day care centre or a place of work, when it came to the allocation of a house?



## Method of Research

### a) Legal Aspects

In the early stages of research contact with interested voluntary organisations and groups had led to interviews with Wendy Davies, currently of the Scottish Council for Single Parents in Glasgow and formerly a social worker in Drumchapel, Mrs St Clair of Cruse, a group whose special concern is the welfare of widows and their children, and Lois Hobbs of the Glasgow branch of Women's Aid. These interviews had highlighted some of the legal problems regarding the occupancy of the family home experienced by mothers who had deserted or been deserted by their husbands; and prompted the need to seek legal advice from an expert in Family and Property Law. The necessary technical expertise was provided with information and advice from Mr I B McGhee of the Faculty of Law, Glasgow University, with further advice on awkward details from one of my solicitor friends, Mr Hugh Smith of Andrew McAllan and Partners, Rutherglen.

### b) Housing Aspects

Although the Clydeside Conurbation overall suffers from the poor socio economic conditions associated with an obsolete industrial base, there are wide variations between individual districts within the conurbation; and the housing areas chosen represent these differing conditions. They are: Glasgow (sub-districts Drumchapel and City centre), Motherwell, Hamilton, East Kilbride and Eastwood.

Information as to how each housing authority sets about fulfilling its statutory duties towards lone mothers in advising them as to their housing rights, securing both temporary and permanent accommodation for those for whom they are responsible and the ways they deal with

subsequent requests for transfer were all gleaned from interviews and follow up phone calls and letters with officers of the Homeless Unit in each area:

- a) Mr Trevor Muir and Mrs Margaret Vass of Glasgow District Council
  - b) Mr Docherty of Motherwell District Council
  - c) Mr James Aitken and Mr Moody of Hamilton District Council
  - d) Mr Tom Burns of East Kilbride District Council
- and Mr Nicholson, the Housing Manager of Eastwood District Council.

It should be noted that the policies of the authorities were either in the process of change or had been changed recently to comply with the Tenants' Rights (Scotland) Act 1980 and so some of my information may already be out of date. Further change was anticipated if the Bill covering occupancy rights in the marital home which goes before Parliament in the current session (Whitsun 1981) becomes law.

#### c) Social Aspects

In order to gauge how effective the housing policies of the respective authorities appeared in practice to lone mothers resident in each area, I had hoped to interview a small sample group from each district who had been rehoused since the implementation of the Housing (Homeless Persons) Act 1977. However collating the necessary data from housing lists appeared to present administrative problems to each of the authorities contacted either because it was seen as a breach of confidentiality or because there was no efficient way of disaggregating lone mother families from the general housing lists.

In the event, I contacted the secretaries of four Gingerbread groups, whose members lived in areas approximating to two of the housing

districts, East Kilbride and Eastwood, and two of Glasgow's sub districts, Drumchapel and City Centre:

- a) Elizabeth Furie of Drumchapel
- b) C. Fisher of Glasgow West End
- c) Pat McAdam of East Kilbride
- d) Yvonne Speirs of Eastwood/Clarkston

Gingerbread is a nationwide voluntary organization of some ten years' standing which promotes the interests of lone parents, especially the divorced, separated and single mothers, and specializes in the concept of mutual support and self help within each group.

Since none of the groups were very large - East Kilbride had an average attendance of about 28 to 30 members at each meeting and Drumchapel as few as 10 to 12 - it was agreed that I should first give a short talk to explain what I was doing and the information I required, and follow this with an informal question and answer session with the group. To prevent these sessions getting out of hand, it was essential to structure the order of information required and to prime the secretary accordingly; but equally essential to allow digression where it appeared to lead to a topic of interest. Both a tape recorder and notebook were used to record information.

This method has no pretensions to statistical significance; but was chosen partly owing to lack of resources, partly as it was felt that the informality of the situation might be more conducive to the discovery of those aspects of the housing authority's treatment of lone mothers which caused the greatest dissatisfaction. A further caveat is that the comments made by individuals in the sample groups were based on events during the past three years or so, a period during

which housing authority policies, procedure and practices have been subject to considerable change, as noted earlier; and so these comments cannot always be taken as relevant to current practices.

### The Effects of Current Legislation

There is nothing to suggest in current literature<sup>60</sup> on the subject that the broad social and housing trends on a national scale referred to earlier were not reflected fairly accurately also in Scotland, at least up to 1977/78. The statutory duties imposed on Scottish housing authorities to make provision for deserting or deserted mothers and their children under the Housing (Homeless Persons) Act and The Tenants' Rights (Scotland) Act 1980 are more or less identical to those in English legislation; but since the law regarding married women's property rights offers less protection to women in this situation in Scotland than their counterparts in England and Wales, these statutory duties are liable to impose a heavier burden on housing authorities in this country. Given that this difference may not be as marked in practice as it would appear in principle, since the enforceability of the English law is open to question, it nevertheless suggests the hypothesis that the housing opportunities of lone mothers in Scotland are therefore liable to be prejudiced by the greater demands placed on Scottish housing authorities, especially at a time of severe financial constraint; and that this situation will be further exacerbated by reductions in the Rates Support Grant resulting from the politically motivated ideals of local councils. Unfortunately there is no sufficiently up to date data to support this assertion; nor is it a point which appears to have received any attention from housing management in Scotland.

It should however be pointed out that the disadvantaged position of deserted and deserting mothers in Scotland vis-a-vis the family home caused by the anomaly between the Family and Property laws of the two countries has resulted in proposals to amend the law with a Bill going before Parliament in the current session. The effort involved in getting these proposals put forward to bring Scottish law on the subject roughly into line with that in England is largely the work of interested pressure groups such as Women's Aid, Gingerbread and the Scottish Council for Single Parents along with a substantial proportion of the legal profession. My information, however, is that the successful passage of this Bill is far from guaranteed since it implies a breach in the existing property laws of Scotland, to which there is still very strong resistance in some quarters. Moreover, if it is passed in its present form, then the responsibility for payment of outstanding debts on transfer of the marital home appear to be less favourable to the Scottish lone mother.<sup>61</sup>

It would appear that the proposed changes in the law in Scotland, i.e. that occupancy of the marital home should go to the partner in need, the one who has care and custody of the dependent children rather than according to the property rights of the parents, would have advantages not only for the individual families concerned but also for the housing authorities. However on the basis that the Bill may be unsuccessful, I will continue with an analysis of the effects of current social and housing legislation on the housing rights and opportunities of lone mothers in Scotland compared with that of their counterparts in England and Wales (Chapters 3 & 4); and then go on to explore how this in turn affects the treatment of lone mothers by the five sample housing authorities.

In broad terms, the use and occupancy of the marital home on separation or divorce in Scotland is still determined by the property or tenancy rights of the marriage partners, and not as in England and Wales by the housing needs of whichever partner has care and custody of the children. Although married couples are increasingly encouraged to put their homes in joint names, the fact remains that in a substantial number of cases, 42% in owner occupied housing and even higher in council housing, the house is in the husband's name.

The implications of this on housing policy in the local authority rented sector in the event of marriage breakdown are basically two-fold: conflict between the legal rights of the individual and those of the housing authority, and greater demands on housing provision caused by the disadvantaged legal position of married women.

Whereas the Tenants' Right Act 1980<sup>62</sup> serves to reinforce existing Family and Property law in England and Wales and ensures that courts can transfer a secure tenancy to the partner in housing need, in Scotland it operates to produce a conflict between the legal right of the tenant, usually the husband, to remain in his secure tenancy and the legal right of the housing authority to assign the tenancy to whichever of the partners is reckoned to be in greater housing need, usually the wife and children.

Where the husband is sole tenant, he is perfectly within his rights to put his wife and children out of the family home; or alternatively he can desert and by keeping up rent payments maintain his right to occupy the home at any point in the future, unless his wife and family also leave and the house becomes unoccupied for six months. If he

withholds his consent to the transfer of the tenancy to his separated wife, there is little the housing authority can do but:

a) take him to court to resolve the conflict of legal interests  
or

b) provide alternative accommodation for his wife and children

and in the interests of keeping costs and inconvenience to a minimum, the housing authority is generally obliged to take the latter course of action. If the husband deserts and fails to keep up rent payments, then the legal position is less complex and the tenancy can be transferred to the separated wife by the technical eviction of the husband for rent arrears.

The advantages of joint tenancies to the housing authority in the event of marriage breakdown probably account for its increased popularity in recent years: it relieves the housing authority in the first instance of the responsibility for protecting the housing rights of the mother and her children and places it instead on the separating wife leaving her to secure her legal rights in court; at the same time it assures the housing authority of the legal right to claim rent or rent arrears from either or both partners. The implications of the first advantage could be serious for lone mothers in areas of housing stress; for while she continues to have a legal interest in the family home, the housing authority has no statutory duty to provide alternative accommodation unless she can prove the threat of violence should she seek to reoccupy the home.

The separating mother in the owner occupier sector is similarly disadvantaged in the ownership and occupancy of the family home; and generally stands to lose it on divorce or judicial separation. As joint owner she cannot prevent her husband from selling it to realize

his share of the capital assets, though if she is living in it at the time she can gain herself three months in which to find alternative accommodation by the use of a court injunction. If she is not living in the family home she is liable to find a court injunction to secure occupancy of it as unenforceable as its English equivalent. If she has no legal interest in the house, i.e. she is not sole or joint owner, then the best she can hope for is a capital payment of up to one third of the value of the house when sold, once all outstanding debts, eg. legal fees for the divorce and house sale have been paid.<sup>63</sup> This sum is usually not sufficient to enable the lone mother to purchase another house unless her earning ability is relatively high.

The second implication is consequent upon the first: it is the effect of these laws on the number of families headed by a lone mother seeking accommodation from housing authorities under the provisions of the Housing (Homeless Persons) Act 1977. Since housing authorities have a statutory duty to secure accommodation for homeless women with dependent children and since lone mothers and their families in Scotland are more vulnerable to homelessness than their counterparts in England and Wales, it follows by logic, that housing authorities in Scotland are liable to face relatively larger problems not only of urgent need provision as a result of homelessness caused by marriage breakdown but also of permanent rehousing provision for families who have lost the family home.

Moving on from the broad effects of recent legislation on the housing rights of lone mothers to the treatment they receive from housing authorities, it might lead to a better understanding of the variations



in treatment between housing authorities if I sketch in a profile of the general socio-economic condition of the conurbation followed by a brief description of conditions in each district.

### Socio-Economic Background

Donnison and Soto<sup>64</sup> described the Clydeside Conurbation as "clearly the most deprived and most vulnerable" of the population clusters studied in their work on urban development and policy in Great Britain. They quite clearly defined the correlation between the poor socio-economic condition of an area and the presence of fairly high concentrations of vulnerable, low income households such as lone mother families.

Clydeside possesses all the characteristic indicators: a declining population, a high proportion of unskilled workers, higher than average rates of adult male unemployment, presently running at 17.6% (February 1981), all largely due to the obsolescence of its economic structure exacerbated by the general economic recession. Not surprisingly it also has a particularly high concentration of low income fatherless families. Norris puts the proportion as high as 14.7% of the total population in the area against an average of 9.2% for Scotland as a whole on the basis of the 1971 Census figures.<sup>65</sup> As the proportion of one parent families in Scotland has increased by at least 50% since then and the economic performance of Clydeside relative to the rest of Scotland has if anything worsened, it can only be assumed that the figures for the 1981 Census will show a marked deterioration.

As might be expected with a predominantly working class population,

there is particularly heavy dependency on the local authority rented sector for housing:<sup>66</sup> English put the figure for housing in this sector at 54% of the total for Scotland as a whole but as high as 80% plus for some of the districts in the study area notably Drumchapel and Motherwell.<sup>67</sup> As already noted, this sector provides the bulk of housing for families headed by a lone mother: so that in the Clydeside Conurbation the lone mother is competing with a larger proportion of the general population for accommodation than her counterparts elsewhere in Scotland. As a result she is more vulnerable to fluctuations in supply and demand within that sector.

At present, the continuing reduction in housing finance in real terms from central government to housing authorities has resulted in little or no new building and a marked decrease in repair and maintenance of existing stock. Each of the housing officers interviewed expressed concern that this restriction of supply should be exacerbated by the added pressure of demand imposed on the housing authorities by the Housing (Homeless Persons) Act 1977. Four out of the six, the officers at Motherwell, Hamilton, East Kilbride and Eastwood, claimed that they were having to rehouse an increasing number of owner occupiers made homeless by mortgage foreclosure caused by growing unemployment; while Mr Nicholson of Eastwood District which has a low level of council housing stock was worried about further reduction of desirable stock caused by the tenant's right to purchase. In such a situation it becomes even more important to ensure that vulnerable and in some instances politically unpopular groups such as lone mothers are not discriminated against by housing authorities.

In the event the opportunities afforded a lone mother in council housing

are largely determined by the conditions of the market within that particular housing area and the way that these conditions are reflected in the distinctive political priorities which each council brings to bear on its housing policy. As noted earlier the six housing areas chosen: Glasgow Drumchapel, Glasgow City Centre, Motherwell, Hamilton, East Kilbride and Eastwood represent a fairly wide variation across the socio-economic spectrum which is reflected in the tenure mix, size, quality and condition of their housing stock.

Glasgow Drumchapel is one of the large peripheral local authority housing estates produced as part of the city's slum clearance and overspill programme in the 1950's to late 1960's. Few of the houses are substandard in the sense that they lack basic amenities or are overcrowded; but there is generally a rather poor physical environment. One of the major housing problems in the area was identified in a document prepared by Glasgow District Council Housing Management in December 1979 as "the trend towards the concentration of disadvantaged groups in areas of low demand." This showed that of the 1975 families rehoused as homeless in Glasgow under the Housing (Homeless Persons) Act 1977 between 1 April 1978 and 28 August 1979, 298 or 18% had been allocated houses in Drumchapel, and 88% of that number had been rehoused in only four of the eight areas within Drumchapel and that as a consequence the area was showing signs of stress.<sup>68</sup>

The residential area of Glasgow City Centre is made up largely of older tenemental property, mostly in private ownership, either owner occupied or privately rented but with an increasing proportion of rehabilitated Housing Association property. The proportion of council housing stock is very low and demand for it is very high. As a Housing Action Area it has been the subject of considerable upgrading and improvement in

recent years; but there remains a fairly high proportion of sub-tolerable, unimproved housing in excess of 17% overall but as high as 34% in some neighbourhoods.<sup>69</sup> There is a wide disparity in housing condition and standards, and in the quality of the environment, within a small geographic area. The area has a large migrant population of young people mostly students and young professionals who work in the city offices and the university; and a resident population with high proportions of the elderly, one parent families and large families originating from the Indian sub continent.

Motherwell with a population of 153.9 thousand (1977) is one of the older industrial towns with over 80% of its housing stock in council housing.<sup>70</sup> A vigorous programme of slum clearance and redevelopment throughout the seventies has ensured a low level of sub tolerable housing; so that despite a fairly high incidence of chronic adult male unemployment the Town ranks a fairly low incidence of multiply deprived households.<sup>71</sup> The physical environment of the council estates was described by Mr Docherty of the Homeless Unit as "varying on a par with the best middle class estates to on a level with the worst that Glasgow can offer".

With local government offices at both local and regional level and a teacher training college, Hamilton with a population of 107.6 thousand (1977) has a higher proportion of blue and white collar workers than its near neighbour Motherwell. Its tenure mix closely approximates the Scottish average: 54% council housing, 34% owner occupied housing. There is a wide variation in the physical environment of the council estates but the housing authority are in the process of successfully upgrading some of the poorest areas by modifying the social mix of the resident population and improvements to the physical environment.

East Kilbride was designated in 1947 as a focal point for the growth of new light industry in the Central Belt of Scotland and to accommodate Glasgow overspill. The population of 84.9 thousand (1977) is composed of relatively high proportions of young skilled and white collar workers with low proportions of low income groups such as one parent families.<sup>72</sup> As might be expected, from the occupational structure, the tenure mix is 81% rented from the Development Corporation and 19% owner occupied with a target of 25% for the near future.<sup>73</sup> The quality, condition and age of the housing and physical environment displays greater uniformity than in the other study areas; but even here certain areas are considered more desirable and are in higher demand. East Kilbride as a New Town differs from the other areas in another respect and that is that the housing finance made available to the Development Corporation has been more generous than that afforded housing authorities in general so that housing supply has kept pace with demand, keeping waiting time on the housing lists to a minimum, on average six months. Recent cuts, however, make the future less secure and may result in housing policies which reduce the level of officer discretion, making them more accountable to both council and electorate, according to Mr Tom Burns.

The prosperous residential suburb of Eastwood with a population of 50.7 thousand people houses high proportions of the successful and aspiring business and professional community. The rate of owner occupation is extremely high for Scotland at 89% of all housing in the district. Although the stock of council housing is very small, an exceedingly high turnover in tenancies in the past three years has kept waiting time on the housing list to something in the region of six months. As might be expected, the physical environment and

condition of the housing generally is of a good to high standard, with less than  $\frac{1}{2}\%$  of subtolerable housing.<sup>74</sup>

#### How the Housing Authorities treat One Parent Families

As previously noted, when a family breaks up one or other of the parents usually leaves home. Since nine times out of ten, the children remain with the mother, she is therefore in potentially greater housing need than the father, unless she happens to be sole owner or tenant of the family home. For the deserted wife, the immediate housing problem is liable to be transfer of tenancy if she is in council housing, or a court injunction to secure temporary use of the family home and alternative permanent accommodation for the future if she is in owner occupied housing. If on the other hand, the mother deserts or is thrown out with her dependent children, and lacks the means to secure alternative permanent accommodation in the private sector whether to purchase or to rent, she is likely to make application to be rehoused as homeless in the local authority rented sector.

In the first instance, provided the lone mother can convince housing officers that she is:

- a) vulnerable, i.e. solely responsible for her dependent child/children or is pregnant
- b) homeless, i.e. cannot return to the family home usually because she fears violence
- c) has a stronger local connection with the housing area to which she is applying than with any other, i.e. has been living in the area for some time or was resident at some time in the past, works there or has close relatives resident there

then their statutory duties require them to carry out a certain sequence of events. First, they must advise her of her housing rights and the need to investigate her claims to homelessness; second, they must either make temporary accommodation available to her and her family or ensure that she is able to continue living on a temporary basis with her relatives, friends, etc.; and finally, they are obliged to investigate her claim within 28 days and advise her whether or not the housing authority will accept responsibility for her and subsequently make an offer of permanent rehousing.

In the next section each of these processes will be considered in turn: the transfer of tenancy, advice and temporary accommodation, permanent re-housing and, because it is often found to be important at a later stage, transfers. Each will be examined to see how housing officers in each area deal with the situation and what lone mothers think of the treatment they receive before going on to consider the implications for future policy and procedure.

#### Transfers of Tenancy

Having interviewed the housing officers of the Homeless Units first, it came as something of a surprise to find that the issue which generated most heat among the lone mothers was transfer of tenancy. To recap, should the husband as sole tenant desert the family home then, failing his consent, the simplest and most convenient way for the housing authority to transfer the tenancy to his wife is to use a technical eviction on the grounds of arrears of rent.

Each of the officers stressed that great care is taken to explain the legal position to the deserted wife: that the housing

authority are not entitled to accept rent payments from her as sub tenant, but that she should bank the money until the technical eviction is carried out and the tenancy transferred to her name. But there are a number of problems inherent in this procedure. If the housing authority have no forwarding address for the separating husband, all communications regarding eviction and court proceedings are sent to the family home. Several lone mothers in the Glasgow Sub Districts who had been in this situation described how upsetting they had found this procedure; and at least one, misunderstanding the purpose of the whole exercise, had attended the debtors' court for the first time in her life, afraid that unless she did so she would lose her home. This same woman claimed to have had furniture removed from her flat by Sheriff's Officers as a result of these court proceedings and placed on the landing outside the entrance until such time as she had been to the housing department to clear the "technical" arrears plus court costs. This latter practice, I gather, has been stopped fairly recently; but the whole process is clearly liable to place additional stress on the lone mother at a time when she is least able to cope.

However there are several twists to the same coin. Margaret Vass of Glasgow District Council knew of several instances where deserting husbands had paid the rent arrears after the court proceedings because they had in the meantime formed new relationships and wanted the house for their own use. The Homless Unit had had to rehouse their wives and children shortly after. Tom Burns of East Kilbride District Council mentioned that in the case of joint tenancies in his area, both signatures are now required to



assign the tenancy to one of the partners after a number of deserting husbands or wives had one-sidedly claimed sole tenant's rights and put their partner and children out into the street.

It is beyond the scope of this dissertation to prove that such poor treatment was even partly the result of discrimination against, or lack of sympathy for, lone mothers on the part of housing officers; but what is abundantly clear is that the Tenant's Rights (Scotland) Act lacks teeth in the face of the married woman's disadvantaged legal position vis-a-vis the matrimonial home in Scottish law so that the housing authority is virtually powerless to intervene other than as just described or by offering alternative accommodation.

#### Advice and Temporary Accommodation

None of the lone mothers volunteered any criticism of the advice or treatment they had received on contacting the Housing Department after the family had broken up; and a few mentioned the courtesy shown them and the care taken to explain their legal and housing position. With little time at my disposal, I had to be content to leave it at that although I would have liked to investigate further.

One important detail could not escape my notice, however: in every district except Glasgow that first crucial, and for the lone mother probably traumatic, interview is conducted in private, in a special interview room or the housing officer's own office; in Glasgow the ordeal is carried out in public at a long counter facing the waiting area, circumstances which can hardly be

conducive to establishing a good working relationship between the housing officer and the lone mother. Margaret Vass tells me, though, that improvements in this quarter are on the way.

The main issue is rather more complex: each local authority has rather different proportions of one parent families who approach the housing departments for help and are ultimately rehoused in ordinary council housing, largely as a result of the socio economic differences between each area. This in turn is related to the generosity of the first treatment they are offered which in turn is related to the balance between supply and demand for public housing in each area, and coloured by the attitude of the council and the electorate towards one parent families.

Unfortunately since the methods of collecting statistics on homelessness vary between authorities only those for two of the districts, Glasgow and Hamilton, are directly comparable and even then they are totals and cannot be disaggregated to show the proportions of lone mothers who present themselves as homeless and are subsequently rehoused. However they serve as indicators of the resources at the disposal of the two housing authorities concerned. Over an 18 month period from April 1978 when the Housing (Homeless Persons) Act 1977 came into force, 6361 people presented themselves as homeless in Glasgow compared to 658 in Hamilton. Glasgow with the higher incidence of homelessness relative to its total population (0.76%) rehoused 31%<sup>75</sup> of the total number that applied; in contrast Hamilton with an incidence of 0.61% rehoused only 24%<sup>76</sup> Why? Glasgow with a declining resident population and a higher proportion of its housing stock in the

public sector (and a higher vacancy rate), until recently also benefited from more generous subsidies through the Rates Support Grant on the basis of its greater problem of multi deprivation, i.e. its resources were greater than those of Hamilton. East Kilbride as noted previously had an even more advantaged financial position, and Tom Burns, a housing officer with East Kilbride Development Corporation, reported that the majority of separating mothers who applied to the Homeless Unit for help were subsequently rehoused. In fact since 1974 East Kilbride has re-housed separated spouses as a separate priority needs category.

Even within any one district, the balance between local supply and demand for council housing plays a large part in determining where the house that is offered will be and in what condition. If the lone mother's stated preference is in an area of high demand then clearly she is less likely to achieve her choice; so that SB, a lone mother in the Drumchapel Gingerbread group, on returning to her parents' tiny flat in Partick (a high demand area) from Dundee when her marriage broke up, was rehoused with her four small children in Drumchapel (a low demand area), "only a bus ride away" as Margaret Vass said, but too far away for her parents to be of any practical help on a day to day basis.

The reduced financial circumstances of housing authorities in the past 2 to 3 years following on cuts in the Rates Support Grant have resulted in an almost imperceptible hardening of council attitudes towards rehousing homeless one parent families and a slight tightening up of housing policy and procedure in that area in each of the housing authorities studied. The reason for this can be put down

to increased competition for scarcer resources: houses allocated to homeless one parent families in priority need are often seen by council members and the electorate alike as depriving applicants on the general needs or transfers lists of housing; and this situation is even more difficult for the housing officer to justify in political terms if in allocating a house of equivalent standard to that which the lone mother has lost, as required by policy, he allocates a good quality house in a desirable area or a poor quality house in one of the least desirable areas. Either way there is almost certain to be political reaction: as Tom Burns remarked, "It's easier to allocate a lone mother a house in the middle range; it saves trouble".

This increased competition is already tending to produce changes in at least two directions:

- a) accountability of housing officers
- b) criteria governing the lone mother's acceptance as homeless and the responsibility of the local authority for her.

For the first, housing officers in each area commented that they were aware of a growing resistance to their use of discretion in priority needs situations such as rehousing homeless one parent families, and of increasing pressure from council members and the public alike to make housing departments more accountable for their decisions. All the officers interviewed stressed the need to ensure that "a good case" was made to the housing committee for allocating a house to a homeless lone mother, i.e. that the woman satisfied the criteria set down in council policy. As a result of this demand for greater accountability Glasgow District have recently adopted a more visible

system of allocation based on points. The advantages for the housing department are that it is seen to be "fair" by applicants in all categories: the disadvantages as far as lone mother families are concerned is that it is weighted against the young, and those not previously resident in the area or in council housing, i.e. the more vulnerable lone mothers must be rehoused within the terms of the Housing (Homeless Persons) Act 1977 since they lack the points to be rehoused via other queues.

The firmness with which the various criteria are applied are also indicators of a housing authority's willingness or perhaps more correctly ability to take responsibility for rehousing the lone mother. Lois Hobbs of Women's Aid told me that prior to the 1977 Act, Glasgow would only rehouse a woman and her children on the production of medical evidence of physical battering, a fact corroborated by Margaret Vass. Now before accepting a lone mother's application for rehousing as homeless, each authority except East Kilbride require confirmation of her intent to seek legal separation or divorce and custody of her children in the form of a lawyer's letter or similar document. No doubt this serves to discourage the casual use of the Homeless Unit, e.g. somewhere to spend the night after a blazing marital row, but it may also serve to discourage women who are in real need of accommodation and yet shrink from taking what they see as the first step in divorce proceedings.

A poor standard of temporary accommodation can also serve to discourage the separating mother from persisting in her application for permanent rehousing by forcing her to return home or to find

alternative accommodation for herself. Only Motherwell, with poor resources and a population over dependent on the public sector for housing, and Eastwood with a very small stock of council housing and a more prosperous population, i.e. possibly less vulnerable to homelessness, failed to provide ordinary council housing for the temporary use of separating mothers and their children, and put these families up in hostel accommodation which at best could be described as functional and adequate.

#### Permanent Rehousing

Under the provisions of the 1977 Act, acceptance into temporary accommodation does not imply a subsequent offer of permanent rehousing; and an applicant can be refused or granted less priority on the basis of the criteria noted at the beginning of this section and in Chapter 4, e.g. vulnerability, homelessness, etc. If accepted for rehousing either in the urgent needs and/or any other queue such as general needs or transfers, a lone mother's position in the queue(s) depends upon the length of time since her application was accepted, local residence or connection and, in some authorities, on the tenure of her previous home; but the length of time she has to wait can also be modified by how specific her stated preferences are on house type and location, as noted earlier and the speed with which houses are allocated to each queue.

Clearly if local residence or stronger local connection are criteria which the housing authority chooses to emphasize, then lone mothers who wish to transfer across administrative boundaries for any reason such as to get the support of relatives or to avoid a violent husband are at a disadvantage in terms of position in the

queue. Glasgow to its credit gives a points weighting equivalent to four years waiting time or ten years residence to those "wishing to move to the same locality (or an adjacent one) as their daughter who is in need of care" which Margaret Vass said could be stretched to include the parental or sibling support required by many lone mothers; but this only applies within the district. Generally, applicants from outwith a housing district are treated less favourably, a situation which can only deteriorate if restrictions on housing supply persist, eg. E. Mc. a lone mother from Bradford was refused access to the housing list as priority needs homeless on the grounds that she had "stronger local connections" with Bradford and so made her own arrangements for "temporary" accommodation.

Two years later as an applicant well down the General Needs queue, she continues to rent privately a poor quality, but not technically substandard flat in the West End. Since this is the area where she has put down her roots and it is also an area of high housing demand, her chances of permanent rehousing in the public sector are slender.

Similarly, if the tenure of the lone mother's previous home is taken by the housing committee as an indicator of her (potential) financial status, then applicants from owner occupied housing are liable to be at a disadvantage. Margaret Vass, Mr Docherty and Tom Burns claimed that housing committees in their districts were unwilling to consider an application for rehousing a lone mother from owner occupied housing until they were advised of the probable outcome of the financial settlement following divorce or

judicial separation. This often means a two to four year wait for the family involved. Compare this with the approach in Hamilton and Eastwood, both with higher proportions of the housing stock in owner occupier tenure, where an offer of permanent rehousing will be made within the normal 6-8 weeks on the more realistic assumption that any capital which the divorced woman is liable to receive is unlikely to be sufficient for house purchase.

Finally, one of the factors determining how long lone mothers previously living in council housing remain in temporary accommodation is rent arrears. The legal position is that unless she was sole or joint tenant of the marital home she is under no obligation to make payments towards arrears; but the stated policy of Hamilton, East Kilbride and Eastwood is that they consider her "morally responsible" for arrears accumulated while she actually occupies the house; and pressure is undoubtedly brought to bear on lone mothers in these districts to seek payments from the DHSS or whatever other financial source to cover arrears before an offer of permanent rehousing is made. It is perhaps a measure of the lack of success of this approach that joint tenancies are now actively encouraged in districts where rent arrears have been a persistent problem in the past, i.e. Glasgow, Motherwell and Hamilton; in contrast in Eastwood where rent arrears are almost unknown joint tenancy is entirely optional.

### Transfers

Since the remit of this study in the first instance was to examine the housing opportunities of lone mothers when the family broke up, subsequent transfers did not appear to be one of the main issues. However it was one which recurred frequently in my interviews with lone mothers in the sample Gingerbread groups.



Briefly then, in each district the criteria for acceptance on to the transfer list depends on the reason for transfer: over-crowding, relative in need etc. and the relative position on the list on factors such as length of time on the list, length of time resident in the area, grade of existing house and its locality, etc. With the exception of East Kilbride where there is as yet a high level of officer discretion, this means that lone mothers are very unlikely to be able to transfer up the council housing market largely because of their youth. This is of particular significance to those rehoused as in urgent need in poor quality housing in the less desirable areas because effectively their bargaining power is too low, e.g. Drumchapel or some parts of Motherwell; though obviously of less importance to lone mothers in East Kilbride where there is greater uniformity in the condition and location of housing. As an example E. McF. a lone mother in DrumchapelKingsbridge (an area of low demand) wished to move to be near her brother and his wife in Stonedyke (a higher grade area) so that her sister in law could look after E. McF's two small children while she went out to work full time. The housing department informed her that she would not qualify for that particular transfer for twenty five years.

The examples quoted demonstrate poor practice in the face of high demand and low resources rather than discrimination against lone mothers; for in order to prove discrimination it would be necessary to show that these practices are not applied equally to one and two parent families alike and my research data, such as it is, cannot lead me to that conclusion.

## Summary

This chapter has explored how a sample group of housing authorities in the Clydeside Conurbation treat lone mothers at the present time in the light of their statutory duties towards them and the resources at their disposal. It has noted three main points. First, that despite the continuing disadvantaged position of married women in Scotland regarding the legal rights to the matrimonial home when the family breaks up, and the extra burden which this imposes on housing authorities, the lone mother's ability to acquire another home for her family in the public sector has improved enormously since the Housing (Homeless Persons) Act 1977 came into force. Second, that the less favourable treatment extended to one parent families in some districts can be more readily explained by the balance between housing supply and demand in that area at that time or even a lack of sensitivity on the part of housing agents to the particular needs of the lone mother than by discrimination. And finally it has hinted at legal and economic changes which are in the process of happening or are about to happen in the near future which will almost certainly affect the lone mother's housing opportunities.

The next and final chapter offers some guidelines as to what might be considered good practice in rehousing lone mothers and their children; and then goes on to consider how predicted changes in financial resources and legislation on family and property law might affect the lone mother's future opportunities for council housing in Clydeside, and suggests what efforts might be made to protect her position relative to that of other applicants for housing in the public sector.

## CHAPTER 6: IMPROVEMENTS FOR THE FUTURE

This study set out to look at the housing of one parent families, particularly those living in Scotland in the Clydeside conurbation. It has explored the difficulties which mothers and their children experience in retaining or acquiring a home following the loss of a husband or partner; and has shown that anomalies in the family and property laws of England and Scotland mean that separating mothers in this country are less likely to retain the family home and consequently more likely to depend upon public sector housing.

The undoubted success which the housing authorities studied have had in meeting this need and providing homes for mothers and children in the throes of family break up should nevertheless not blind them to some of the poor practices evident in their treatment of lone mothers, poor not because they deny the woman her legal rights but because they display an insensitivity to the particular circumstances in which she finds herself as a separating mother. Further it should not prevent them from considering how best to protect the housing interests of this vulnerable group given the predicted reduction in financial resources available to housing authorities in the future. Before going on to consider the effects of continuing recession and government cut backs on local authority spending plus the changes in family and property law on the lone mother's housing opportunities in Scotland, we will return to the process of rehousing described in the previous chapter and offer some guidelines to better practice on the basis of the more favourable

treatment offered by some of the study authorities on transfer of tenancy, temporary accommodation and advice, permanent rehousing, transfer of lets and the policy on concentration/dispersal.

#### Transfer of Tenancy

In the example quoted earlier where the transfer of tenancy is accomplished by a technical eviction of the husband for arrears of rent, there is little housing authorities can do about the legal procedure - eviction notices, summons etc., without acting as moral arbiters in each case and prejudicing the husband's claim to the home and possibly also his children. The only course of action open at present is to try to make sure that the deserted mother understands what is going to happen and why; and above all to reassure her that in the event of her losing her home alternative accommodation will be provided by the local authority. Hence, housing authorities must make every effort to ensure that housing officers and social workers coming into contact with separating mothers in this situation are trained to supply the necessary information and support.

#### Temporary Accommodation

A reasonable standard of temporary accommodation with the privacy normal to a family home and a private interview room at the Homeless Unit are obviously ideals which most housing authorities would aspire to given the necessary resources; but in the present period of financial constraint may appear as optional extras and of less importance than providing accommodation for the homeless.

However the need for a legal document to prove marriage breakdown is another matter altogether. Margaret Vass defended this procedure by saying that, "Everyone knows a letter of intent is of no legal standing; and yet with this document Glasgow District Council are prepared to dispense with the investigation procedure and make an offer of permanent rehousing to the separated mother". This ignores the central issue which is that the Homeless Unit in seeking to reduce administrative costs and demanding this document may be pressurizing separated mothers in some instances into a course of action which they are neither ready or willing to take in return for the temporary accommodation which they desperately need. There is a very fine line between administrative convenience and the client's freedom of choice; but in certain instances good practice surely demands that the freedom of choice of the client should be respected even if it adds to administrative costs.

#### Permanent Rehousing

The criteria governing acceptance on to housing lists, and the way these criteria are interpreted are also open to question on occasion, and this is particularly significant in the case of those lone mothers who wish to effect a move between housing tenures or across administrative boundaries.

For the first, the insistence of housing authorities in Motherwell, Glasgow and East Kilbride that an offer of permanent rehousing to a separating mother from the owner occupier sector should await the outcome of the financial settlement following divorce or

judicial separation appears unjustified in the face of the evidence produced in this study except in exceptional cases; few separated or divorced mothers can afford to buy a house, and many have difficulties simply in furnishing one. In fact this treatment comes closest to what could be termed discrimination against lone mothers, although it more likely reflects a political prejudice against owner occupiers; as James Aitken of Hamilton District Council remarked, "We don't ask to look at the bank deposits of other applicants, so why make an example of that particular group?" While appreciating the resource problems facing housing authorities at this time, this practice does appear to be both unfair and unjustified in the majority of cases.

For the second, lone mothers come from all social backgrounds and from all areas throughout the country, just before their marriages break down. Once the family has broken up, the most common choice of move is to be near their parents, likewise uniformly spread throughout the country, or away from violent husbands. Hence the political and administrative resistance to moves by lone mothers across administrative boundaries for whatever reasons does seem somewhat illogical since there is every reason to suppose that such moves would largely offset each other. And these arrangements appear even less defensible in a large urban concentration such as Clydeside where boundaries exist more for administrative convenience than for the welfare of the local population.

#### Transfer of Lets and Policies of Concentration/Dispersal

The problems consequent on the greater urgency with which one parent families in general require to be rehoused have been touched

on in Chapter 4, the most significant of these being the concentration of the more vulnerable lone mothers into what Glasgow District Council euphemistically describes as "areas of low demand", and the quality and proportion of housing made available for allocation through the priority needs queue.

Each of the authorities studied apart from Eastwood has recently adopted a policy of dispersal to counteract the recognized disadvantages of such concentrations to both the residents of the area and the local authority, i.e. they attempt to rehouse new one parent applicants back in their area of origin in what is described as equivalent accommodation. The effectiveness of this policy remains to be seen since it is clearly a long term objective and depends very much on the supply of housing in any one neighbourhood at any given time; but it raises a number of questions. How realistic is this policy when "fewer houses are being made available to the Homeless Unit for applicants with virtually no time on the waiting list"? and what happens in the meantime to those lone mothers and their children rehoused in the less desirable areas under the earlier policy? do they get priority on transfer of lets back to their areas of origin?

#### Effects of Future Changes in Finance and Legislation

The quality and proportion of the total housing supply made available to lone mothers through allocation to the priority needs or other queues takes us on to the final consideration: the effects of future changes in financial resources and legislation on the lone mother's housing opportunities in Scotland. The moves

to bring Scottish Family and Property Law into line with English law and that of most of Western Europe, if successful, should have at least two major effects upon the demand for council housing. First, the demand for temporary accommodation by lone mothers should follow the pattern of that in England for the reasons set out in Chapter 4; as Margaret Vass of Glasgow District Council Homeless Unit commented, "If the housing decisions are to be left to the divorce courts, who is going to house the women and children in the meantime?" Second, the demand for permanent rehousing should not drop by anything like the proportion that it did in England and Wales owing to the relative weakness of the owner occupier sector in Scotland, especially round Clydeside, i.e. the savings accounted for by rehousing mothers and children back into owner occupied housing after divorce will be less, all things being equal; and housing authorities are unlikely to reassign a tenancy four years after marriage breakdown.

Meantime the predicted cutbacks in central government spending and financial constraints exercised by local authorities will put added pressure onto housing authorities faced with increased demand caused by the decline of the private rented sector and the formation of growing numbers of one parent families. The result will be even fiercer competition among the different categories of applicants for council housing. In such a situation, one of the main objectives of housing authorities must be to protect the interests of the more vulnerable and possibly less popular groups such as lone mothers, in two ways, by maintaining housing supply to the group and by making better use of existing resources.



The first approach requires that a balance be maintained between the demand and supply to each applicant category and involves monitoring changes in supply and demand so that if the demand for housing for one parent families increases relative to the rest, the supply should also increase in proportion. Since many allocation systems permit applicants to place their homes on several lists at once, this would be a relatively complex task. The second approach could be combined with the first: to make better use of existing resources by permitting joint tenancies for two lone mothers or perhaps a group of lone mothers to live together. For some particularly young single mothers, or others with few social contacts this way of life could provide a mutual support system even if only in the short term.

## CONCLUSIONS

The evidence of this study indicates that although social and housing legislation in the late seventies and early eighties brought about a marked improvement in the lone mother's housing opportunities in Scotland by giving her access to council housing, it offers her less protection than the equivalent legislation in England and Wales in that it fails to prevent her losing the family home on marriage breakdown because of anomalies in the Family and Property Laws of the two countries.

Although statutory provision for one parent families who are homeless represents an additional burden on a service which is already hard pressed by financial constraints and increased demand from other categories of housing applicants, there is little doubt that the housing authorities have been fairly successful to

date in achieving their basic objective. However as this new branch of the housing source develops and becomes more sophisticated, greater demands are made of it by council, management and clients alike so that progressive change is essential if it is to continue to function successfully. Because one parent families are particularly dependent on the public sector for both temporary accommodation and permanent rehousing, and as such are vulnerable to variations in treatment between authorities and to poor practice from authorities, the study has suggested certain minor improvements which might bring about greater uniformity in this direction in the Clydeside Conurbation given the present economic and legal circumstances.

If these changes are introduced then it is to be hoped that the loss of the family home will be something less of an ordeal for the lone mother and her children than in the past; and that in acquiring a new home she also acquires the support and companionship of family and friends at a time when she most needs it.

25 SEP 1962

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