

HERBERT SMITH FREEHILLS ACTS FOR CPAG HELPING SECURE LANDMARK SUPREME COURT JUDGEMENT

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Deals and cases

Herbert Smith Freehills is delighted to announce that the Supreme Court has handed down a landmark human rights law judgment regarding the Widowed Parent's Allowance. The firm acted for Child Poverty Group (CPAG) in a Pro Bono capacity, helping to secure this victory.

The case relates to mother-of-four Siobhan McLaughlin. When her partner John died after 23 years together, she was not eligible for Widowed Parent's Allowance to help her raise their children, because she and John had not married. CPAG was granted permission to intervene by the Supreme Court, and its submissions emphasised the discriminatory effect of the Widowed Parent's Allowance on the children of unmarried parents.

The Supreme Court ruled that denying bereavement benefits to unmarried, cohabiting partners with children is incompatible with human rights law and that the Widowed Parent's Allowance is intended to provide for children in the event of a parent's death, regardless of whether parents are married or not.

Child Poverty Action Group's Director of Policy Louisa McGeehan said:

"The Supreme Court's judgment clearly establishes that the eligibility criteria for the Widowed Parent's Allowance is incompatible with the law. The Government must now move swiftly to apply the principle and ensure that all children who experience the death of a parent are supported financially on the same basis as children whose parents are married."

The team at Herbert Smith Freehills was led by partner [Andrew Lidbetter](#) and supported by [Jasveer Randhawa](#), [Mark Smyth](#) and Anisa Kassamali. Counsel instructed were Helen Mountfield QC and Tom Royston. The firm has an ongoing relationship with CPAG and has worked with them on a number of pro bono matters.

About Herbert Smith Freehills

Operating from 27 offices across Asia Pacific, EMEA and North America, Herbert Smith Freehills is at the heart of the new global business landscape providing premium quality, full-service legal advice. The firm provides many of the world's most important organisations with access to market-leading dispute resolution, projects and transactional legal advice, combined with expertise in a number of global industry sectors, including Banks, Consumer products, Energy, Financial buyers, Infrastructure & Transport, Mining, Pharmaceuticals & Healthcare, Real estate, TMT and Manufacturing & Industrials.

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About Child Poverty Action Group

CPAG is the leading charity campaigning for the abolition of child poverty in the UK and for a better deal for low-income families and children. Through its Early Warning System it collects and analyses case evidence about how welfare changes are affecting the wellbeing of children, their families and the communities and services that support them. Through its strategic litigation work, CPAG brings or intervenes in cases where benefit claimants' rights are violated with a view to bringing about systemic change for others who find themselves in the same situation. CPAG is the host organisation for the Campaign to End Child Poverty coalition, which has members from across civil society including children's charities, faith groups, unions and other civic sector organisations.

www.cpag.org.uk

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