

BUSINESS PROFILE

Grandparents' rights

Karen Chapman, accredited specialist solicitor at Vanderpump & Sykes looks at government plans to give greater access to grandparents

THE relationship a child has with grandparents is an integral part of his or her development and can contribute to a mutual sense of well-being and belonging.

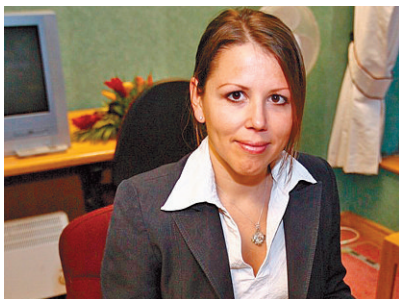
At least six out of 10 families use grandparents as child carers. There have been recent news reports of grandparents spending retirement cash on clothing toys and other treats and even footing the bill for their own child's IVF treatment costs.

When parents separate, grandparents can be an invaluable source of support and a point of refuge for children. Yet the relationship between grandparent and child can often get forgotten especially if parents struggle with their own contact arrangements.

Sadly, following relationship breakdown 67 per cent of grandparents are prevented from providing childcare or taking grandchildren on outings even when they have done so regularly in the past. And 42 per cent of grandparents never see their grandchildren at all. These statistics affect more than a million children, with paternal grandparents faring worst.

When a family separates it is important to try not to take sides and keep open lines of communication. Family mediation may help. If all other attempts to establish contact have been unsuccessful, then more robust steps may be necessary.

Current law does not give grandparents an automatic right to apply to court for contact with their grandchildren, they must first seek permission to make an application.



Karen Chapman is an accredited specialist solicitor at Vanderpump & Sykes

When considering whether to grant permission, the court will look at a range of factors, including the connection with the child, whether the application would be disruptive and harmful. The court will also consider whether the substantive application would be successful.

If successful in securing permission, applications for contact are considered case by case, looking at a range of factors with the child's welfare being paramount.

Following a Coalition Government announcement earlier this year, a review of the family justice system is underway to consider how best the system can provide greater contact rights to grandparents. The final report is due next year.

■ For advice in respect of contact with grandchildren, or any other family matter, contact the Family Law Team. A fixed fee interview, that is not time restricted, can be arranged for £75 plus VAT by telephoning 020 8370 2898 or by emailing markheselton@vanderpumps.co.uk

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