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Article

Title: The sadness of grandparents hit by divorce

Date: June 2009

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Are you one of the 14 million grandparents in Britain? We all know how uniquely important you are to your family and how 55% of you play an active role in the day to day care of your grandchildren. How sad then, that an estimated 42% of grandparents lose direct contact with their grandchildren after the children's parents separate or divorce. But don't lose hope.

Gloria Hunniford, herself a grandmother of 8 is spearheading a campaign supporting a report by the Grandparents' Association, the Family Matters Institute and Families Need Fathers which was published in May. The report suggests that more than 1 million children lose contact with their grandparents; it also highlights what it sees as gaps in the law and calls for change. David Cameron, the Tory leader, supports the campaign, highlighting the fact that grandparents 'could be beacons of stability for children during a family break-up.'

An earlier report by the Children's Society concluded that along with other close family members, grandparents are the best help for children in circumstances of separation and divorce.

The sad but true fact is that only people with parental rights – which usually just means the parents – have automatic contact to the child, governed by the Children Act 1989. Parents can make applications to the Court for orders concerning their children but grandparents have to jump through hoops and obtain permission from the Court before making a formal application. Essentially this means that grandparents, unlike parents, have to put their case twice, resulting in delay and expense. By the time the case actually comes before the Court for hearing, a

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valuable connection may already be lost between a child and its grandparents. This can be doubly hard as grandparents are concerned about the welfare and love their grandchildren, but at the same time they do not want to come between the grandkids and their parents, one of which is their child.

So what can you do if one of the parents wants to deny you contact with your own grandchildren? There are options ranging from mediation to taking legal action but there's no guarantee of success. It's heartbreaking, not just for the grandparents, but also for the children, who may well have depended on them before the parental break up.

If you would like to talk to someone about these issues, you can call me on 01256 854630 or email acorrigan@phillips-law.co.uk. The family law team at Phillips Solicitors' follow the Code of Practice set out by Resolution (formerly the Solicitors' Family Law Association) and put the interests of the child first. We believe that in the majority of cases, these interests are met by ongoing support for children at all levels including the all important input of their grandparents.

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