

to the child and his/her doctors, and this information lies with the maternal grandparents.

Bereavement may cause emotional turmoil in the child, and because children are often protective of a bereaved parent, they may feel unable to discuss their feelings with the surviving parent. On the other hand the child may find it easier to confide in grandparents, who can then relay the child's worries to the surviving parent.

If Social Services are refusing contact

The arguments to be put to social workers are much the same. However, it is important to stress the benefit that a child will get out of continuing to have contact with grandparents as a means of retaining valuable family links. Simply knowing that grandparents love the child and want to remain in touch will increase the child's sense of self-esteem. Grandparents can provide continuity and an understanding of family and origins when parents are unable to do this. Contact with grandparents can provide a child living away from home with a sense of stability and belonging which can be vital to the child's well-being. Generally, grandparents can be important to a child as confidants, but in particular when there is a change of social worker whom the child may find it difficult to confide in, until a feeling of confidence and trust in the new social worker has been gained.

Local Authority's duty

It is the duty of a local authority looking after a child to promote contact between the child and any relative connected with him (Paragraph 15(1)(c) of Schedule 2 to the Children Act 1989). It is also an important human right of the child to maintain family relationships, both under Article 8 of the European Convention on Human Rights (which is part of our law by virtue of the Human Rights Act 1998), and under Articles 7 and 9 of the United Nations Convention on the Rights of the child.

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Fact Sheet

Arguments

to be used

by Grandparents

seeking contact

with a Grandchild



Working for children

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Arguments to be used by grandparents seeking contact with a grandchild

If the child's carer is refusing to allow you contact

If you are being denied contact with your grandchild read on.

You should write to the child's mother or if possible talk to her. (Because it is usually the mother who is caring for the child we refer in this leaflet to the carer as mother but the position is the same if the carer is the father.) You should tell the mother how much you miss seeing your grandchild, and that your grandchild will miss you. If a child is not seeing his or her father, you can point out to the mother that the child has suffered the effective loss of one parent. If the child is denied contact with them a further loss is being imposed upon the child by denying him/her a relationship with grandparents.

They can also point out that the parent is effectively denying the child a relationship with the family representing half of their genetic origin – and identity. In addition, they can say that grandparents can be a valuable emotional and practical resource and support for grandchildren, and that perhaps the parent should ask the child what they think about not seeing the grandparents any more. (The latter is a strategy that carries risks unless each grandchild's likely answer is known!)

Where the child is young, grandparents provide an additional source of affection and entertainment for a grandchild. As the child grows older, the grandparents become an increasingly important means for the child to gain knowledge of family origins and roots, and a child may find it difficult to grasp the existence of the other side of his or her family when the other parent is absent. Grandparents can give a child a sense of his or her origins and heritage, as well as emotional and sometimes practical support that can be very important to an adolescent.

It should also be pointed out to the parent that keeping in touch with the wider family and community will help the child develop:

- an understanding of his/her family roots
- a secure sense of personal identity
- strong links to their family and culture
- an understanding of family structure and meaning, across generations.

If the parent is unresponsive they could see what is available in the way of mediation services locally, and if mediation is a possibility, suggest this to the parent.

The last resort is an application to the court, of course, for leave to apply for a Contact Order, followed by a substantive contact application. But, as we always say, this is a last resort.

In any event, they should send brief letters and greetings cards to the child with modest presents (eg gift/book tokens) and the occasional photograph to keep them 'alive' in the child's mind.

It is important always in any discussion of the question to emphasise the child's loss, both present and future, rather than complaining that the grandparents are being prevented from seeing their grandchild.

If the other parent is dead or no longer on the scene

It may be worth pointing out to the child's carer that the child has sadly lost his/her mother and now they are in addition losing other important relationships with the maternal side of the family. In other words loss is being imposed upon loss (especially if the child saw the grandparents frequently).

Furthermore, the people best able to tell them about their mother, as a child and young woman/man, are the mother's parents and this information is important to the child.

Information about medical conditions in members of the maternal family may also be very important