



GRANDPARENTS' RIGHTS



Written by - Rob Colwell

Do I have a right to see my grandchildren?

Unfortunately, there is no fundamental right for grandparents to have contact with their grandchildren. The Family Law Courts do however recognise the importance of contact with grandparents during any child's upbringing.

I am being refused contact with my grandchildren, what do I do?

1. **Try to negotiate with the child's parents.** This is the best way to have contact reinstated, and it saves costs.

2. **Mediation.** This is an independent process, in the absence of solicitors, whereby each of the parties meets with a legally trained mediator. They are each seen separately, and where an agreement looks possible, all parties will be invited to a roundtable meeting. Once an agreement is documented, it is not legally binding, but is persuasive to a Court.

***Costs** – are dependent on your income. They can range from £0-£200 approximately. If the referral is made via a solicitor, you will need to consider their hourly charging rate in addition to this.

3. **Application to Court** – this must be considered as a last resort as it can be very lengthy, stressful and expensive.

***Costs** – are dependent upon the facts of each case and can be discussed on an individual basis.

There is a Court fee of £215 required to make such an application.

What do the Courts consider when an application is made for Contact?

1. Nature of the application being made;
2. Your connection to your grandchildren; and
3. Any risk that the application will disrupt the child's life so much that it causes harm to the child.

Paramount Concern = the child's welfare

Types of Contact

1. Face to Face
2. Telephone Contact
3. Visual/Video Calling (Skype)

What if a Contact Order is made, but I am still refused contact?

Breach of a Contact Order is a civil offence (Contempt of Court) and is punishable by a fine or even imprisonment.

Contact us - Our Team

Rob Colwell

Rob is the Head of the Family Department at Hayes + Storr and has been practising for nine years.

Rob is assisted by Jackie French, and is often joined by a Trainee Solicitor.

FIRST APPOINTMENT- REDUCED RATE - £100 + VAT (£120 total). Includes 1 hour appointment and detailed letter of advice.

Contact us on 01328 863231 to make an appointment.

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