



## 'Grant right to grandparents to see children they so adore'

by Lucy Johnston, [www.express.co.uk](http://www.express.co.uk) 16/12/18

Grandparents estranged from grandchildren because of family breakdown will have new access rights under plans being considered by ministers.

Justice Minister Lucy Frazer QC has agreed to look at rules allowing grandchildren to maintain contact with grandparents after parental separation following pressure from MPs and campaigning groups. They want an amendment to the Children Act, which would include a child's right to have a close relationship with members of their extended family. The change would also cover aunts and uncles. The current rules mean relatives have to apply to court to gain access rights and then have a child arrangement order put in place.

Tory MP Ms Frazer said: "Grandparents play an important role in the lives of their grandchildren, and I sympathise with those who experience the anguish of being prevented from seeing their grandchildren if a parental relationship ends.

"I am looking at what measures the Government could take to help more grandchildren maintain contact with grandparents following parental separation and will make an announcement about the Government's plans in due course."

Her comments follow research which suggests up to a million grandchildren are split from grandparents following family separation or bereavement.

There has been an increase of almost 20 per cent in applications made by grandparents for child arrangements since 2014, rising to 1,915 in 2016.

Next month Tory MP Nigel Huddleston will meet Ms Frazer to discuss how to change the law.

He wants the UK to follow other European systems, such as France, where access between grandchildren and grandparents is a legal presumption following divorce or family break-up.

He said: "Divorce and family breakdown can take an emotional toll on all involved.

"But the family dynamic that is all too often overlooked is that between grandparents and their grandchildren, and sometimes in an awkward divorce, children can be used as weapons and access denied.

"Some grandparents call this a kind of living bereavement. Since I started to campaign I have been inundated with calls, emails and letters from across the country." Any law change would not apply north of the Border, although similar moves are being considered by the SNP Government.

A public consultation was held over the summer to seek views on the issue as part of a review of the Children (Scotland) Act 1995.

Earlier this year, Conservative MP John Lamont told how one of his constituents in Berwickshire, Roxburgh and Selkirk had fought for grandparents' rights. He said: "Issy Shillinglaw from Tweedbank has been campaigning outside the Scottish Parliament for many years, every single week, for the law in Scotland to be changed."

Family law specialist Nicola Kerr, from Scots Law firm Brodies, said Holyrood decided more than a decade ago that granting grandparents an automatic right would ignore the views of children.

She added: "Has anything changed in the past 14 years that is likely to result in the Scottish Government reaching a different view this time round? Given that Scottish Ministers have pledged that the interests of children will be at the heart of family justice modernisation proposals, I find it difficult to foresee a different view being reached."

**Veteran TV presenter Esther Rantzen, founder of ChildLine, is among those campaigning to change the law on the rights of grandparents.**

She said last night: "Many young people who contact ChildLine, often when things go badly wrong, look to grandparents as a safe place where they receive unconditional love.

"It is a terribly important relationship. These days, with increasing amounts of parental break up, sometimes an angry parent will refuse grandparents access.

"We want grandchildren to have a presumed right of access to their extended family as is the case in France."

### **'It was a living bereavement, you have a knot in your tummy'**

Former teaching assistant Jane Jackson, 66, and husband Marc, 70, lost contact with their first grandchild Liandra in 2017 when she was seven.

The separation came after their son Keith's divorce, but they were reunited when she turned 18 and tracked them down. Software developer Keith also lost contact with his daughter two years after he separated from his wife. Until then, Liandra would travel to her grandparents' Bristol home from her mother's home in the North-east for holidays.

But access was suddenly and inexplicably withdrawn to her father and grandparents after the Easter holidays in 2007.

Mrs Jackson, founder of the Bristol Grandparents Support Group, said: "We had had a fantastic time with her.

"We had Easter bunny signs in the garden. Then we made Easter pictures in the summerhouse with sequins and paint. It was lovely. We were very close."

There was no accusation of wrongdoing but the family decided not to go through with a court case in order to protect Liandra. However, Keith set up a blog in her name, which he and his parents regularly updated with family news and photographs in the hope that she would read it.

"That Easter was the last time we saw her," said Mrs Jackson.

"We continued to send cards, birthday and Christmas presents but we didn't know if they got to her. It was like a living bereavement. You have an awful knot in the pit of your stomach every waking moment.

"Being a grandparent is such a privilege. It is a unique relationship and so special."

She recalled: "When Liandra was born my son called me. I was in the staff room at school. He was ecstatic, as was I. We went to visit as soon as we could.

"Picking up this little person, lifting her in your arms and her looking up at you. It's instant love and different from the bonding love of a parent which is mixed in with the responsibility. As a grandparent you can let everything else go.

"You can leave the housework until later when they're gone. It's just magic and the benefits are enormous for all. The role of a grandparent is to support when called on. Not to criticise.

When I lost contact with her I became depressed and saw myself going down a black hole. I had given up hope of seeing her again which is why I set up the support group."

Last May, when Liandra turned 18, she found her father on Instagram and reunited with him and her grandparents.

Mrs Jackson recalled the moment she saw Liandra again.

"She was shaking from head to foot," she said. "I opened my arms and she just fell into them."

She added: "Access should all be about putting the children first, not about adults and their warring conflicts. There is no logic in the family law system.

"Young children are suffering severe mental health issues with a rise in self harm and eating disorders in today's society and I believe family breakdown has a lot to do with it."

Ken Ebbens, 63, a Portsmouth based proof reader and his wife, Val, 57, a nurse, only have contact with one of four grandchildren.

Mr and Mrs Ebbens stopped seeing eldest granddaughter, Grace, now nine, after a family fallout with his stepson when Grace was eight months old.

Ken also now has two other grandchildren from his stepson that he and his wife have never met. However, he has open access to his stepdaughter's child, Chloe, 11, who he helps look after.

He said: "This is not about grandparents' rights, it is about the rights of grandchildren. My relationship with Chloe is everything to me.

"I speak to her every day and see her four times a week. She makes me proud every time I see her. Grandparents have never been more needed."

Grandparents Victoria and Kinship Carers Victoria  
14 Youlden Street,  
Kensington, Vic. 3031  
Ph: (03) 93722422  
[director@grandparents.com.au](mailto:director@grandparents.com.au)