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Cymorth Tîm – Pwyllgor Deisebau
Team Support – Petitions Committee
Gwasanaeth y Pwyllgorau
Committee Service
Cynulliad Cenedlaethol Cymru
National Assembly for Wales

Frank Bradfield
Grandparents Apart Wales

PET (4) -01-11 Agenda 21-06-2011

Dear Rhodri

A Charter for Grandchildren

18th July 2011

We thank the committee for their two years of deliberations regarding the above petition, and it is still our desire to have children's rights enhanced and protected, and the motivation for this has not diminished in anyway since we petitioned the National Assembly Petitions Committee in July 2009.

In fact when one deals with the anguish of parents and the extended family, regarding issues that affect them and their grand/children one appreciates that there is something radically wrong with our society today that we ourselves appear to be creating mainly by default..

As a charity we welcome many of the proposed changes the Family Justice Review Panel suggest, but would have liked to have seen equal parenting given more prominence and not belittled as we felt it was. Mediation we think should be compulsory and that cases should be time limited unless there is sound reason for it being otherwise. Conflicts within families that cannot be resolved in less than five years are completely indefensible. Family Law as it stands and we include the Children's Act 1989 in this, is just being used as another money earner for those who practice in law as we have evidence which proves that Court Orders are not enforced, and when broken the people who suffer such injustice can only return to the same court to have the same Court Orders reissued again, all to the advantage of the lawyers – but of detriment to the children. That is a woeful fact and in any other department of justice would be totally unacceptable.

Many family charities have written regarding their interpretation and aspirations of the Interim Report of the Family Justice Review, and we agree with them when they write in support of the Articles of the UN Convention on the Rights of the Child, but we would go further especially in response to **paragraph 99** and the section under **Private Law**, where it is stated that:

“Where the marriage has irrevocably broken down, couples seek to divorce and also need to resolve any outstanding financial issues. Where a separation involves children, arrangements need to be made for their care and decisions must be reached about parenting post-separation. These are difficult emotive issues for anyone to resolve and often bring high

tension and distress. The family justice system cannot be expected to fix all of these difficulties. Instead, for those unable to resolve an issue by any other means, it must focus on ensuring the process achieves the best outcome possible, or the least detrimental, for those involved especially children.”

The weakness in our opinion in this section of private law in the Interim Report, is that the children’s interests are only brought to the fore after the separation of the parents, and such vital decisions are then taken regarding the children’s future at the time of their parents’ most difficult and stressful period as they have to adjust to a different lifestyle and cope with the trauma that separation sometimes brings.

This section of Private Law goes on to state the difficulties that this presents to the courts and agencies, and we argue that had the child’s future, wellbeing and protection been agreed and enshrined in a Child’s Contract before the birth of the child, then the court would have in their domain the defined guidelines of the parents wishes for their child prior to separation. The Child’s Contract would be part of a parental agreement agreed by both parents contemplating parenthood and recognised in law.

We petitioned for a Charter for Grandchildren, as some children we feel are not given the highest priority in many cases when their parent’s separate or divorce, yet their welfare is paramount and universal. We hear about decisions taken in the best interests of the child, but, where the blood relations are not even consulted in any of the decisions regarding the child and then to add to their misery and anxiety, they are denied information on the child. In short they are totally ignored by the authorities.

We have cases where the grand/children have been taken away from their family and their relatives who are completely innocent of any wrongdoing; subsequently, are then denied any future contact with their grand/children including generic information. We fail to see how this can have a beneficial effect on the mind of a child, and we reiterate that this happens in too many cases where the authorities appear to have their own specific agenda which dictates that their action is in the best interests of the child and In many cases this has been proven not to be so, at a cost to those involved, both emotionally and financially

We believe such action taken by the authorities will someday haunt this nation and the signs are there at present for all to witness as the children who feel unloved, deprived of the security and stability of their family, which they are made to feel has denied them so, misguidedly, seek solace and affection in the group culture which is a natural progression of development, that they have confidence in for their protection, and seen by many of them as a statement of expression.

Our petition for a charter for grandchildren would protect young people and children.

- When children have difficulties or problems they would expect people to get to know them, to speak to them and listen to what they have to say.
- The charter would be there for children to be taken seriously, and for them to be involved in the decisions that affect the quality of the circumstances in their life.

- Children should have their privacy respected, and have people that are responsible to them examining their lives as a whole.
- The charter would have people thinking carefully about how to use the information held on children and to put children in touch with the right people, by having Children's Agencies using their power to help strengthen families.
- The charter would help children be safe because in essence when children are given the highest priority then the right things happen.

Our petition was submitted one year prior to the Family Justice Review Panel calling for evidence which we were pleased to give, and in truth we see our petition as a way forward and its principles clearly supported in many areas by the Family Justice Review's Interim Report.

The proposals of the Family Justice Review recognise the need for change but deal mainly with the issues of courts and Family Law and our proposed Charter for Grandchildren single-mindedly is all about the wealth and future of our nation namely the children and how to care for their protection and welfare within the family which will benefit society as a whole.

We would hope that the Petitions Committee of the National Assembly of Wales supports the need for a Charter for Grandchildren and this charter to be mandatory for the use of people who work in children agencies, and we look forward to their decision.

Yours sincerely,

Frank Bradfield,
Grandparents Apart Wales