

Family Dispute Resolution & Estrangement from; Grandparents and other Significant People in the children's lives

Often when the parent who lives with the child forms a new relationship and moves away, the child's relationship with their grandparents can be disrupted. This can be called Family Estrangement.

The Family Law Act identifies the importance of children continuing to have a relationship with grandparents after the parent's separation, or if grandparents become estranged from the parents of the grandchildren. The Family Law Act states that "children have a right to spend time on a regular basis with and communicate on a regular basis with, both their parents and **other people significant to their care, welfare and development** (such as grandparents and other relatives)". Grandparents don't have an automatic right as a grandparent to see a grandchild. The children have a right to be seen by, loved by and spend time with their grandparents and other significant people in their lives if that is in the child's best interests.



Sometimes a child is lucky enough to have grandparents who can support them *while maintaining their own neutrality*. Grandparents should never forget that children often have *two* extended families. Many children survive the difficulties of their parent's separation with the support of sensitive and caring grandparents. Be a grandparent that is bigger, stronger, wiser and kind.

Children need extra time, support, sensitivity and understanding during the period of upheaval after their parent's separation. Frequent contact with grandparents and other relatives, family friends and significant people in a child's life can be an invaluable asset when they are under stress. Supportive adults outside the immediate family can be valuable resources. Those relationships can help buffer children from the negative effect of the stress in their lives. Children who have support systems outside their immediate family are more likely to cope better than children who are more reliant on their parents for support.

For their own wellbeing, it is essential that children maintain their sense of connectedness and belonging to their family, extended family, friends and the community.

***Be a parent or grandparent that is:
Bigger, Stronger, Wiser
and Kind.
The children deserve it.***

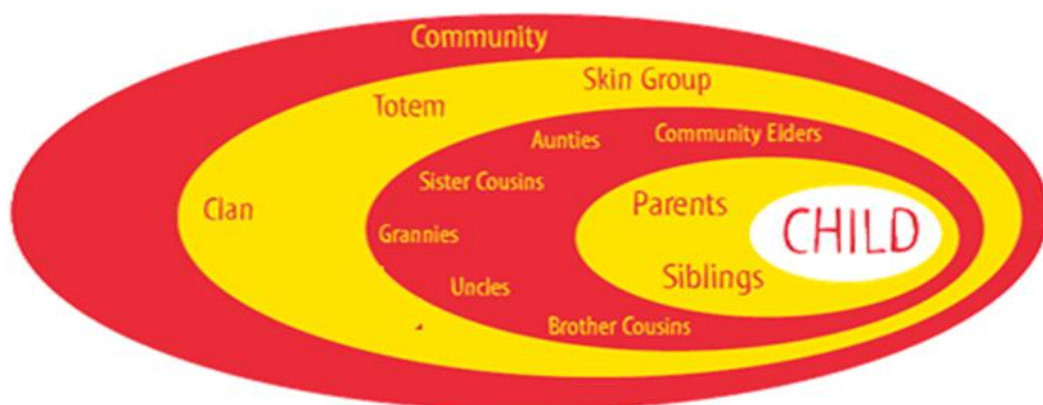
Children; Aboriginal or Torres Strait Islander

Grandparents play a special role in the lives of everyone, but for indigenous people, there is an almost sacred aspect to them. As the story-tellers and the holders of knowledge of aboriginal culture, it's their role to pass that down to the children.

It is natural for children to spend time with grandparents. Grandparents can give children:

- Love and a place where they feel safe and secure.
- A sense of belonging to family, culture and community.
- Play, talk and have fun with children.
- Talk about family and culture and tell stories from the past.
- Listen to children's worries – tell them you love them.
- Show children how to do things – cooking, art, craft, gardening, home chores.
- Take children out and about and to cultural events.

The Family Law Act states; “the child has a right to enjoy his or her Aboriginal or Torres Strait Islander culture including the right to enjoy that culture with other people who share that culture”.



Considered all these aspects of belonging and connectedness for the children.

Children; Spending Time With their Grandparents or other Significant People in their Lives

In deciding whether it is in the *best interests of the children to spend time with* the grandparents or another significant person in their lives, the court will refer to several different factors, including:

- The need to protect the child's psychological, emotional and physical safety.
- The kind of relationship the child has with their parents, grandparents or other significant persons, and the benefits of having that relationship.
- The likely effect of the proposed arrangement on the child.
- Whether there is any family violence that the child is exposed to.
- Any views of the child if they are old enough and mature enough to have their say.